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Master's Thesis

# U.S. balancing strategies in the South China Sea disputes and China's behavioral change

—Case studies of U.S.—Philippines and U.S.— Vietnam cooperation during the Obama administration—

남중국해 분쟁에 대한 미국의 균형전략과  
중국의 행동변화: 오바마 정부 때 미국-필리핀  
협력과 미국-베트남 협력을 중심으로

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조정균

# U.S. balancing strategies in the South China Sea disputes and China's behavioral change

–Case studies of the U.S.– Philippines and U.S.– Vietnam cooperation during the Obama administration–

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# Abstract

The South China Sea is the most hotly disputed territory as of now. China has aggressively claimed its sovereignty over the South China Sea based on the ‘Nine–Dash Line.’ Moreover, China is building its military forces and artificial islands in this area. With Obama’ s ‘Pivot to Asia’ policy, the U.S. also became actively engaged in the South China Sea and is trying to balance China in this area by increasing its cooperation with the Philippines and Vietnam. This is a very striking change given the initial stance the U.S. had on the South China Sea up until the previous Bush administration. Although the U.S. has many strategic interests in Asia, this region was not the main focus of the U.S. foreign policy until the Obama administration. With increased U.S. engagement in the South China Sea under Obama’ s ‘Pivot to Asia’ policy, the paradigm of the South China Sea disputes broadened from a conflict between China and the Southeast Asia countries to a conflict between U.S. and China.

**Keyword:** Balancing strategies, U.S., China, Vietnam, Philippines, South China Sea

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# Chapter 1. Introduction

The South China Sea is the most conflictual area involving six countries. China, Taiwan, Philippines, Vietnam, Malaysia, and Brunei all claim sovereignty over the South China Sea, and the disputes became more tense with the involvement of the U.S. in recent years. This chapter will briefly review the history of the South China Sea starting from the Japanese colonial period, and give more details on current confrontations surrounding the South China Sea.

## 1. Historical background on the South China Sea

The South China Sea is a marginal sea in the Pacific Ocean that holds fertile fishing grounds and substantial reserves of undiscovered oil and gas. The major islands and reef formations in the South China Sea are the Spratly Islands, Paracel Islands, Pratas, the Natuna Islands, and Scarborough Shoal.<sup>1</sup> The South China Sea lies in the heart of maritime conflict because this area borders many countries: Brunei, China, Malaysia, Philippines, Taiwan, and Vietnam. Each of these countries claims sovereignty over the South China Sea. China claims sovereignty over more than 80 percent of the South China Sea. Vietnam claims sovereignty over the Paracel

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<sup>1</sup>Website: Lowly Institute.  
<https://www.lowlyinstitute.org/issues/south-china-sea>

Islands and the Spratly Islands.<sup>2</sup> The Philippines claims sovereignty over the Spratly Islands and the Scarborough Shoal.<sup>3</sup> Brunei and Malaysia claim sovereignty over southern parts of the South China Sea and some of Spratly Islands.<sup>4</sup> The below figure shows the map of the South China Sea and territorial claims of claimant countries.

Figure 1. Map of the South China Sea



<sup>2</sup>Websites: South China Morning Post. (2019). "Explained: South China Sea dispute. The Philippines, Vietnam, China, Brunei, Taiwan and Malaysia stake different – sometimes overlapping – territorial claims"

<https://www.scmp.com/week-asia/article/2186449/explained-south-china-sea-dispute>

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

Source: 노태영. (July, 12, 2016). “'남중국해' 더 이상 물러설 곳 없는  
美·中.” 아시아경제. Available from:

<https://www.asiae.co.kr/article/2016071211025560608>

The South China Sea disputes are not a recent issue; instead, it has a long history starting from the Japanese colonial period. Japan excessively claimed its rights over several islands in the South China Sea and occupied the Pratas Islands on September 3, 1937. Furthermore, its Navy landed on the Spratly islands in December 1938 and invaded Hainan Island the following February.<sup>5</sup> However, China asserted its rights over the majority of islands including the Pratas Islands, the Macclesfield Bank, the Parcel, and the Spratly Islands in the South China Sea with an ‘Eleven-Dash Line’ in 1947.<sup>6</sup> In 1953, the Chinese government removed the portion encompassing the Gulf of Tonkin and simplified the border to the ‘Nine-Dash Line.’<sup>7</sup>

China’s aggressive action did not stop there. In 1974, Chinese forces occupied the western portion of the Parcel Islands and built military installations such as airfields and

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<sup>5</sup> Websites: Council on Foreign Relations. (2017). “Timeline: China’s Maritime Disputes”  
[https://www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing\\_use-china\\_sea\\_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing\\_use-china\\_sea\\_InfoGuide](https://www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide)

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

artificial harbor on Woody Island, which is the largest of the Paracel Islands.<sup>8</sup> In 1987, China also built another physical presence on Fiery Cross Reef in the Spratly Islands and continued to show its assertive stance in the area.<sup>9</sup> This led to China's first military clash in the Spratly Islands with Vietnam, resulting in the sinking of three Vietnamese vessels by the Chinese Navy.<sup>10</sup> Vietnam was not the only country that had a military clash with China over the South China Sea. In January 1996, China also had its first military clash with the Philippines between three Chinese naval vessels and a Philippines navy gunboat near Capones Island in the Mischief Reef.<sup>11</sup> This incident strengthened military ties between the U.S. and the Philippines, and the U.S. Navy SEALs conducted a joint exercise with the Philippines on Palawan Island.<sup>12</sup> Fortunately, the tension between China and the Philippines subsided when both countries signed a nonbinding code of conduct promoting confidence-building measures and calling for a peaceful resolution to the territorial disputes in the South China Sea.<sup>13</sup>

## 2. Recent Confrontation in the South China Sea

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<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

Tensions surrounding the South China Sea escalated in recent years. If previous conflicts were between China and Southeast Asia countries, recent conflicts also involved the U.S.

In April 2001, U.S. Navy EP-3 aircraft which was on a reconnaissance mission collided with Chinese naval F-8 fighters in the South China sea. After the collision, the U.S. aircraft made an emergency landing on the Hainan island, and China detained the 24 U.S. crews for 11 days. When this incident occurred, both the U.S. and China blamed each other for the collision. The U.S. claimed that the EP-3 aircraft was on a routine operation in international airspace over the South China Sea and it was intercepted by F-8 fighters.<sup>14</sup> Meanwhile, China claimed that the U.S. aircraft entered China' s territorial airspace without permission and that the EP-3 aircraft suddenly turned toward the F-8 fighters, blaming the U.S. for the collision.<sup>15</sup> Former Chinese President Jiang Zemin requested an official apology from the U.S., and obviously, the U.S. denied the request. However, after series of high-level meetings, former U.S. Ambassador Joseph Prueher sent a letter of regret expressing that the U.S. is 'very sorry' for the loss of Chinese pilot and entering China' s airspace without verbal clearance when making an

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<sup>14</sup> Kan, Shirley A., et al. (2001). "China-U.S. aircraft collision incident of April 2001: Assessments and policy implications." CRS report for Congress: pp.1-33.

<sup>15</sup> Ibid.

emergency landing.<sup>16</sup> Former Chinese Foreign Minister Tang Jiaxuan accepted the letter and China agreed to free the detained U.S. crews in Hainan Island.

This incident raised serious questions concerning aviation and naval passage under international law. The law of the sea states that all aircraft are entitled to fly over ocean areas beyond the territorial sea, including another country's Exclusive Economic Zone (EEZ). However, China asserted that the U.S. reconnaissance mission that was done 70 miles away from its coast in Chinese EEZ still constitutes an abuse of the right of overflight while the U.S. claimed that there was no problem since it did not infringe international law.<sup>17</sup>

There were also Sino-Philippines conflicts in the South China Sea in recent years. In June 2011, the Philippines summoned a Chinese envoy because of the Chinese naval incursions in its claimed territory near the Spratly Islands and the Amy Douglas Bank, which are located off the coast of Palawan Island.<sup>18</sup> These incursions began in March, and both countries declared the other of violating the '2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea.' This led to series of clashes between China and the Philippines. To add on to the conflict, the

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<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

Philippines government began to officially refer to the South China Sea as the West Philippine Sea and asserted its “inherent power and right to designate its maritime areas.”<sup>19</sup> Sino–Philippines conflict in the South China Sea did not stop there. In April 2012, a Philippines navy surveillance plane spotted Chinese fishing vessels in a lagoon at Scarborough shoal.<sup>20</sup> Two days after, the Philippines warship boarded the Chinese vessels and found out that these vessels were engaged in illegal fishing.<sup>21</sup> Later, two Chinese maritime surveillance ships approached and positioned themselves between the Philippines warship and the Chinese fishing vessels.<sup>22</sup> Consequently, foreign relations between the two countries worsened and the Philippines held joint military exercises with the U.S. during the stand–off.

Not only Sino–Philippines but Sino–Vietnam relationship was also on the rocky road. In June 2012, Vietnam passed a maritime law claiming its jurisdiction over the Spratly and Paracel Islands, demanding notification from any foreign naval ships passing through the area.<sup>23</sup> Not surprisingly, China acted strongly against it and established Sansha city on Paracels which would add the

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<sup>19</sup> Ibid.

<sup>20</sup> Website: Inquirer. (2012). “Scarborough shoal standoff: A timeline” <https://globalnation.inquirer.net/36003/scarborough-shoal-standoff-a-historical-timeline>

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Websites: Council on Foreign Relations. (2017). “Timeline: China’s Maritime Disputes”

Paracels, Spratlys, and Macclesfield Bank in its administration.<sup>24</sup> Another major conflict between China and Vietnam occurred on May 1, 2014, when Vietnam detected the Haiyang Shiyou 981 (HYSY 981) oil rig and three Chinese oil and gas service ships heading south from China's Hainan Province.<sup>25</sup> HYSY 981 oil rig was situated 120 nautical miles east of Vietnam's Ly Son Island and 180 nautical miles south of Hainan, making both China and Vietnam eligible for the rig under the UNCLOS.<sup>26</sup> Vietnam instantly sent out the Vietnamese Coast Guard and Fisheries Resources Surveillance (VFRS) forces to interrupt HYSY 981, and China also increased the number of Chinese escorts to 40 ships and arrayed its forces in protective rings to head off the hostile ships.<sup>27</sup> When the actual collision occurred, China blamed Vietnam for deliberately ramming Chinese vessels while Vietnam blamed China for rupturing Vietnam vessel's hull.<sup>28</sup> As a result, China expanded its defensive perimeter from one to three nautical miles on May 4 to better shield the HYSY 981.<sup>29</sup> After several weeks of confrontations, China announced on July 15 to withdraw the HYSY 981 and released 13 Vietnamese fishermen it had arrested earlier.<sup>30</sup>

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<sup>24</sup> Ibid.

<sup>25</sup> Green, M., Hicks, K., Cooper, Z., Schaus, J. and Douglas, J. (2017). "Countering Coercion in Maritime Asia: The Theory and Practice of Gray Zone Deterrence." Center for Strategic & International Studies: pp.210-231.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Thayer, Carlyle A. (August 2016) "Vietnam's Strategy of 'Cooperating and Struggling' with China over Maritime Disputes in the South China Sea."

Not surprisingly, the worsening relationship between China, Philippines, and Vietnam in the South China Sea gave excellent opportunities for the U.S. to strengthen its relationship with its Asia partners and involve in the South China Sea disputes. On April 28, 2014, the U.S. and the Philippines signed the Enhanced Defence Cooperation Agreement (EDCA) which allows the U.S. to increase its rotational troop in the country, involves in more joint training with the Philippines, and have greater access to bases across the islands, including ports and airfields.<sup>31</sup> U.S.–Vietnam relations also improved, especially after the oil rig incident between Vietnam and China. When the incident occurred, the U.S. supported Vietnam by condemning China that the move was provocative, and the former U.S. Secretary of State John Kerry openly acknowledged on the stage that the U.S. was deeply concerned that China had placed an oil rig in the Vietnamese water.<sup>32</sup> Another breakthrough in the U.S.–Vietnam relations happened in 2014 when the U.S. partially lifted its ban on selling lethal arms to Vietnam in order to increase maritime security between the two countries and enable the transfer of maritime security–related defense articles.<sup>33</sup> The ban

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Journal of Asian Security and International Affairs 3, no. 2: pp.200–220.

<sup>31</sup> Websites: Council on Foreign Relations. (2017). “Timeline: China’s Maritime Disputes”

<sup>32</sup> Thuy, Tran Truong, and Nguyen Minh Ngoc. (2013). "Vietnam’s Maritime Security Challenges: Priorities, Policy Implications and Prospects for Regional Cooperation.": pp.85–100.

<sup>33</sup> Duong Thanh Nguyen. (2016). “The United States and Vietnam Relationship: Benefits and Challenges for Vietnam.”: pp.1–125.

was fully lifted in 2016, and the U.S. continues to provide Vietnam with maritime security assistance through the Maritime Security Initiative.<sup>34</sup>

## Chapter 2. Method and Composition of the Research

Since the South China Sea disputes have a long history, it is crucial to set out a clear framework for the research. Clearly, the aspect of the South China Sea disputes changed with the involvement of the U.S. under the Obama administration. Analyzing the U.S. behavior in the South China Sea in the context of balancing strategy by focusing on the U.S. relationship with the Philippines and Vietnam will be the core achievement of this research. This chapter will discuss research questions, assumptions, and purpose of the research, and then explain the methodology to do the research.

### 1. Research Questions and Assumptions

The U.S. maintained its position as a non-claimant country and remained passive on the South China Sea up until the Bush

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<sup>34</sup> Websites: U.S. Department of State. (2017). “U.S. Relations With Vietnam: Bilateral Relations Fact Sheet”  
<https://www.state.gov/u-s-relations-with-vietnam/>

administration. Why then did the U.S. recently change its attitude on the South China Sea disputes? This research assumes that the former U.S. President Barack Obama and his 'Pivot to Asia' is the reason for the U.S. to become actively involved in the South China Sea. Also, the South China Sea has important strategic values for the U.S., especially as an essential trade route and balancing China's rising influence in Asia.

This research also assumes that the U.S. South China Sea policy is based on the balance of power theory and balancing strategy. Since the U.S. began to engage in the South China Sea, it strengthened its relationship with the Philippines and Vietnam. Notably, the U.S.–Philippines relations emphasize bilateral relationships based on military cooperation while the U.S.–Vietnam relations emphasize multilateral relationships based on ASEAN and UNCLOS.

This research aims to answer three critical questions. First is how did the U.S.–Philippines relationship and the U.S.–Vietnam relationship change under the South China Sea disputes? Second is what is the reason behind the cooperation between the U.S.–Philippines and the U.S.–Vietnam? Third is did the U.S. increased engagement in the South China Sea led China to become more assertive or peaceful?

## 2. Purpose of the Research

The primary purpose of this research is to analyze the U.S. balancing strategies in the South China Sea by focusing on cooperation among the three countries; U.S., Philippines, and Vietnam during the Obama administration. This research will analyze methods of hard-balancing strategy and soft-balancing strategy among these countries. U.S. external balancing strategies with the Philippines focus on bilateral military cooperation while U.S. external balancing strategies with Vietnam focus on financial assistance as well as soft balancing strategies using the ASEAN and UNCLOS. This difference is most likely to be related to their historical relationship between the U.S.

Another purpose of this research is to analyze China's attitude in the South China Sea and explain China's behavioral change after the U.S. involvement in the area. The U.S. claims that it supports peaceful means to solve the South China Sea disputes and does not want tensions to escalate further. However, China is suspicious of the U.S. intention and argues that this is an encirclement strategy to contain China by encroaching into China's claimed sea areas. As a result, China showed even more aggressive attitudes in the South China Sea by building artificial islands and military forces in the area.

### 3. Methodology

Since the South China Sea has a long history, there are many research and articles which deal with South China Sea disputes. The principal methodology for this research will be a qualitative methodology and fully use this diverse information that already exists. Primary sources of information for this research are reports published by academic institutions such as the Council on Foreign Relations, East–West Center, Belfer Center, and various academic journals. Another important source of information is the official presses from the White House, the U.S. Department of State, and the U.S. Department of Defense. Last but not least, this research also uses various news articles to get recent information on the South China Sea disputes.

This research will also be comparative research among the U.S., the Philippines, and Vietnam. There are two main comparisons in this research. One comparison is between hard–balancing strategy and soft–balancing strategy. The U.S. approaches different balancing strategies in the South China Sea disputes by focusing on both military and non–military means. The other comparison is between U.S.–Philippines relations and U.S.–Vietnam relations. The U.S. has a different historical relationship with the Philippines and Vietnam that led the U.S. to focus on hard–balancing strategies with the Philippines while focusing on soft–balancing strategies

with Vietnam.

## Chapter 3. Literature Review

### U.S. Pivot to Asia

The U.S. interest in Asia is evident. One is to secure sea lines of communications that enable free trade. This is very important for the U.S. as free trade is the symbol of liberal democratic capitalism promoted by the U.S. at Bretton Woods.<sup>35</sup> The other is to prevent the rise of any hegemon in Asia that can threaten the U.S. hegemony. As we all know, the U.S. has its forces deployed in Japan and South Korea, which are designed to check the rise of regional hegemons in Asia that could restrict the U.S. political, economic, and security interests in the Asia Pacific.<sup>36</sup> However, Asia was not the central focus of U.S. foreign policy before the Obama administration. Thus, the South China Sea was barely mentioned in reports submitted by the U.S. Department of Defense to Congress about policy towards East Asia before 1995.<sup>37</sup> Overall, the U.S. was very reluctant to engage in the South China Sea and put aside this issue as a regional dispute which should be solved

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<sup>35</sup> Simon, Sheldon W. (2015). "The U.S. Rebalance and Southeast Asia: A Work in Progress." *Asian Survey* 55, no. 3: pp.572-595.

<sup>36</sup> *Ibid.*

<sup>37</sup> Lee Lai. (2003). "China, the USA and the South China Sea conflicts." *Security Dialogue* 34.1: pp.25-39.

between China and other claimants near the South China Sea.

The U.S. passive position on the South China Sea changed during the Obama administration. As a matter of fact, not only the South China Sea but the whole Asia became the central agenda for the U.S. Unlike his predecessor, former U.S. President Barack Obama officially announced that the focus of U.S. foreign policy would be on Asia. This so-called “U.S. pivot to Asia” policy was first introduced in Hillary Clinton’s speech ‘America’s Pacific Center’ at the East–West Center. In the speech, she emphasized that how to utilize and engage the growing engine of Asia will be the basis of U.S. diplomacy for the next 60 years. There are five major strategies in the ‘U.S. pivot to Asia’ policy. The first strategy is to strengthen its alliances with key Asian partners such as Japan, South Korea, and other Southeast Asian countries and to emphasize the U.S. security commitment in the region.<sup>38</sup> The second strategy is to strengthen its partnership with emerging ASEAN countries.<sup>39</sup> The third strategy is to build a cooperative relationship with China.<sup>40</sup> The fourth strategy is to strengthen regional institutions and build a regional economic architecture like the Trans–Pacific Partnership (TPP).<sup>41</sup> The fifth strategy is to promote democracy and human rights.

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<sup>38</sup> Beenish Sultan. (2013). “U.S. Asia Pivot Strategy: Implications for the Regional States.” ISSRA Papers: pp.1-16.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

Thus, the very start of the U.S. engagement in the South China Sea can be traced back to the Obama administration. In other words, the U.S. began to get involved in the South China Sea as part of the ‘U.S. Pivot to Asia’ policy. Especially with regards to the South China Sea, Hillary Clinton set out seven key elements of U.S. policy. First is the maintenance of freedom of navigation and open access to Asia’ s maritime commons.<sup>42</sup> Second is respect for international law in the South China Sea.<sup>43</sup> Third is the encouragement of a “collaborative diplomatic process” by claimants for resolving the various territorial disputes without coercion.<sup>44</sup> Fourth is opposition to the use or threat of force by any claimants.<sup>45</sup> Fifth is neutrality on the question of sovereignty.<sup>46</sup> Sixth is the encouragement to claimants to pursue their claims following UNCLOS, including that maritime claims derive legitimate claims to land features with the 2002 ASEAN-China DOC and support for the establishment of a full code of conduct.<sup>47</sup>

### U.S. Strategic Interest in the South China Sea

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<sup>42</sup> Hiebert, Murray, Phuong Nguyen, and Gregory B. Poling, eds. (2014). “Perspectives on the South China Sea: Diplomatic, Legal, and Security Dimensions of the Dispute.” Center for Strategic & International Studies. pp.1-164.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

The U.S. has three key objectives in the Asia–Pacific region. One is enhancing stability and security in Asia, another is facilitating trade and commerce through an open and transparent system, and the other is ensuring respect for universal rights and freedoms.<sup>48</sup>

From this point of view, President Obama well recognized the importance of the South China Sea. Notably, the Obama administration acknowledged that establishing rule–based stability in the area is crucial for the U.S. national interest as well.<sup>49</sup> Excessive maritime claims and military confrontations surrounding the South China Sea clearly violate customary international law as reflected in the United Nations Convention On The Law of the Sea (UNCLOS), and the U.S. became more involved in the disputes by asserting “freedom of navigation” that is guaranteed in the UNCLOS in the South China Sea. The South China Sea also provides essential trade routes for the U.S. As much of 50 percent of all global oil tanker shipments pass through the South China Sea, and more than half of the world’ s top ten shipping ports are located in and around the South China Sea.<sup>50</sup> Moreover, the South China Sea is very crucial for balancing China. The South China Sea plays a vital role as most of the Chinese goods are exported through the South

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<sup>48</sup> Jonathan Masters, (October 28, 2015). “A U.S. Naval Signal in the South China Sea”, interview by Sean R. Liedman.

<sup>49</sup> McDevitt, Michael. (2014). "The South China sea: Assessing US policy and options for the future." CNA Occasional Paper: pp.1–92.

<sup>50</sup> Ibid.

China Sea. In fact, the South China Sea is a crucial factor in China's 'Belt and Road' policy. The 'Belt and Road' policy is China's ambitious effort to improve regional cooperation and connectivity on a trans-continental scale. If the U.S. succeeds in exerting its influence in the South China Sea, this may as well curb China's power in Asia.

### The Philippines' Policy in the South China Sea

The Philippines is an archipelagic country made of 7,107 islands and inhabits an extensive maritime area. Thus, maritime security in the South China Sea is crucial for the Philippines as much as its inland security. Yet, its maritime defense capabilities did not match the severity of maritime security since the Aquino administration lacked sufficient financial resources

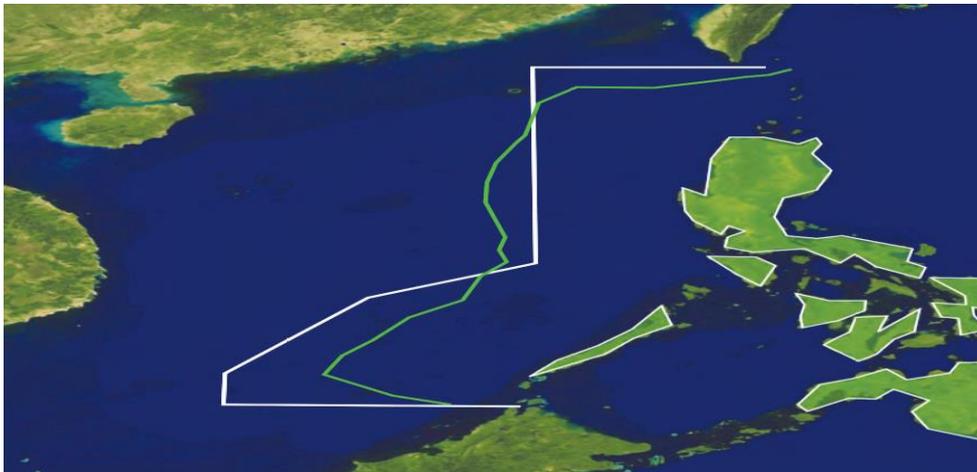
As for its maritime baseline, the Philippines initially followed the baseline of 12 nautical miles of a country's shores established by the Treaty of Paris.<sup>51</sup> With a desperate need to increase its maritime claim, the Philippines asserted claims on Scarborough Shoal as well a collection of 50 Spratly island features, which are known collectively as the Kalayaan island group (KIG) that are

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<sup>51</sup> Gregory B. Poling. (July, 2013). "The South China Sea in Focus: Clarifying the Limits of Maritime Dispute." Center for Strategic & International Studies: pp.1-48.

independent of its archipelagic status both legally and historically.<sup>52</sup> Recognizing the illegality of its claim, the Philippines established a new baseline law in 2009, claiming a 12 nautical mile territorial sea and an EEZ of up to 200 nautical miles from straight territorial baselines between coordinates enumerated in the law.<sup>53</sup> The 2009 Baseline Law also did away with the “Kalayaan box,” declaring that Philippines lay claims only via UNCLOS’ s “Regime of Islands,” meaning that it claims only the waters generated by the land features within the Kalayaan Group, not all the waters in the former box.<sup>54</sup> The below map shows the Philippines legal claim in the South China Sea

**Figure 2. Philippines legal claim in the South China Sea**



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<sup>52</sup> Rosen, Mark E. (2014). “Philippine Claims in the South China Sea: A Legal Analysis.” CNA Corporation: pp.1-66.

<sup>53</sup> Gregory B. Poling. (July, 2013). “The South China Sea in Focus: Clarifying the Limits of Maritime Dispute.” Center for Strategic & International Studies: pp.1-48.

<sup>54</sup> Ibid.

*Source:* Gregory B. Poling. (July, 2013). “The South China Sea in Focus: Clarifying the Limits of Maritime Dispute.” Center for Strategic & International Studies.

On March 2, 2011, two Chinese patrol boats harassed a survey ship commissioned by the Philippines Department of Energy (DOE) to conduct oil exploration in the Reed Bank which lies about 95 miles east of the Spratly Islands and 150 miles west of the Philippines island of Palawan.<sup>55</sup> When the Philippines filed a protest to the Chinese embassy seeking an explanation for the incident, a Chinese embassy official simply asserted that China has indisputable sovereignty over the Spratly Islands and their adjacent territory further requiring the Philippines to seek Chinese permission before it conducts oil exploration activities even within the Philippines’ EEZ.<sup>56</sup> Since this incident, the Philippines hastened to develop territorial defense capabilities of the AFP with the goal of establishing a modest but “comprehensive border protection program” anchored on the surveillance, deterrence, and border patrol capabilities of the Philippines air force, navy, and coast guard.<sup>57</sup>

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<sup>55</sup> Murray Hiebert, Phuong Nguyen, and Gregory B. Poling. (2015). “Examining the South China Sea disputes: papers from the Fifth Annual CSIS South China Sea Conference.” Annual CSIS South China Sea Conference: pp.1–94.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

Conflicts with China in the South China Sea have led to significant changes in the Philippines foreign policy. According to Castro, the Philippines initially balanced its relationship with both the U.S. and China by strengthening its security arrangements with the U.S. while at the same time obtaining economic and political-diplomatic concessions from China from 2001 to 2010. However, this equi-balancing strategy changed to balancing strategy against China since 2011 when the tension surrounding the South China Sea became intense. In order to gain diplomatic support and security guarantees from the U.S., former President Aquino has discarded his predecessor's policy of equi-balancing strategy and tilted the balance in favor of the U.S.

### Vietnam's Policy in the South China Sea

According to Stein (2000), Vietnam's security goal in the South China Sea can be divided into two; one is national security interest of defending its coastline against foreign invasion and defending the sovereignty of the Paracels Islands and the Spratly Islands, the other is regional and human security interest of maintaining regional peace and facilitating international trade and investments.<sup>58</sup> Furthermore, Thuy (2016) addressed three main

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<sup>58</sup> Tonnesson, Stein. (2000). "Vietnam's objective in the South China sea: National or regional security?" *Contemporary Southeast Asia* 22.1: pp.199-220.

issues for Vietnam in the South China Sea: its sovereignty claim over ‘land features’ in the Spratlys Islands and the Paracels Islands; sovereignty rights and jurisdiction within Vietnam’s EEZ and continental shelf; and protecting its fishermen and vessels operating in the overlapping areas of claims, particularly around the Paracel Islands.<sup>59</sup>

As for its maritime baseline, Vietnam established 2012 the Law of Sea, claiming an EEZ of 200 nautical miles and a continental shelf of up to 350 nautical miles from its baselines.<sup>60</sup> Vietnam’s claim overlaps with claims by Cambodia, Malaysia, Indonesia, Brunei, Philippines, China, and Taiwan. Since almost every claimant countries are claiming its sovereignty over the Sprately Islands and Paracel Islands, Vietnam’s territorial claim over these islands in the South China Sea is even more complicated. Sprately Islands is under Vietnam occupation but Taiwan, China, Philippines, and Malaysia are also doing garrison on the larger Sprately Islands area, while Paracel Islands is under Chinese occupation but Vietnam is claiming its sovereignty against China.<sup>61</sup> The below map shows Vietnam legal claim in the South China Sea

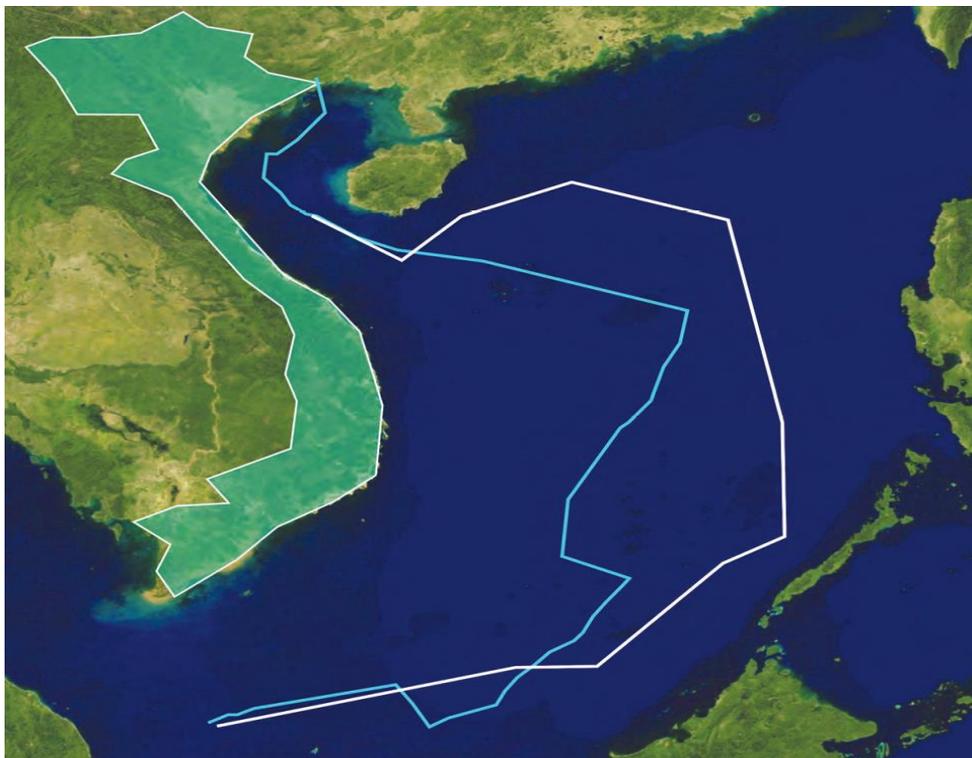
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<sup>59</sup> Tran Truong Thuy. (2016). “Rebalancing: Vietnam’s South China Sea Challenges and Responses.” The Japan Institute of International Affairs: pp.1-18.

<sup>60</sup> Gregory B. Poling. (July, 2013). “The South China Sea in Focus: Clarifying the Limits of Maritime Dispute.” Center for Strategic & International Studies: pp.1-48.

<sup>61</sup> Tonnesson, Stein. (2000). "Vietnam's objective in the South China sea: National or regional security?." Contemporary Southeast Asia 22.1: pp.199-220.

Figure 3. Vietnam legal claim in the South China Sea



*Source:* Gregory B. Poling. (July, 2013). “The South China Sea in Focus: Clarifying the Limits of Maritime Dispute.” Center for Strategic & International Studies.

Vietnam’s South China Sea policy has four components; internationalizing the South China Sea disputes, addressing the South China Sea disputes within a multilateral framework, developing a credible military deterrent to China, engaging directly

with China.<sup>62</sup> In terms of internationalizing the South China Sea disputes and using a multilateral framework to solve the disputes, Vietnam has actively involved the ASEAN and try to bring China into the multilateral framework. In terms of developing its military capability to deter China, Vietnam modernized its military forces and changed its security relationship with major powers. Before the South China Sea disputes became so intense, Vietnam also balanced its relationship with the U.S. and China. More importantly, Vietnam defense policy prohibits military alliance with other countries and foreign military forces from stationing in its land. However, as the tension between China deepened in the South China Sea recently, Vietnam expressed its willingness to develop its security relationship with the U.S. that would include joint maritime activities and capacity-building to enhance its anti-access strength.<sup>63</sup>

## Chapter 4. Theoretical Framework of Balancing Strategy

According to Kenneth Waltz (2010), the international system is an anarchic system without any authority to enforce its agents. Because there is no government in the international system to enforce the rule of law, every state must gain its own power.

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<sup>62</sup> Huong Le Thu. (December, 2018). “Vietnam Should Update Its South China Sea Strategy.” Center for Strategic & International Studies.

<sup>63</sup> Simon, S. W. (2015). “The U.S. rebalance and Southeast Asia: A work in progress.” *Asian Survey*, 55(3): pp.572–595.

Because of this “self–help” system, states can only try to increase their capabilities relative to one another through either internal efforts of self–strengthening, or external efforts of alignment and realignment with other countries.<sup>64</sup> In this realpolitik context, Waltz (2010) introduced the Balance of Power (BoP) theory which claims that states either balance or bandwagon with other countries to balance a threatening state. In easy words, balancing means that small countries align against the threatening power while bandwagoning means that small countries go with the threatening power. Salman and Geeraerts (2015) also explain balancing as a state behavior with a clear goal of achieving national security through improving the state’ s competitive position against its rivals.<sup>65</sup> Realist scholars assume that the most common behavior in the international system is balancing as “states, jealous of their independence, will balance against a rising, threatening great power, rather than jump on its bandwagon.”<sup>66</sup> Thus, this research will take balancing as the dominant behavior of a state in the international system and take this as a given factor in this research.

There are two types of balancing strategy. One is external balancing strategy and the other is internal balancing strategy.

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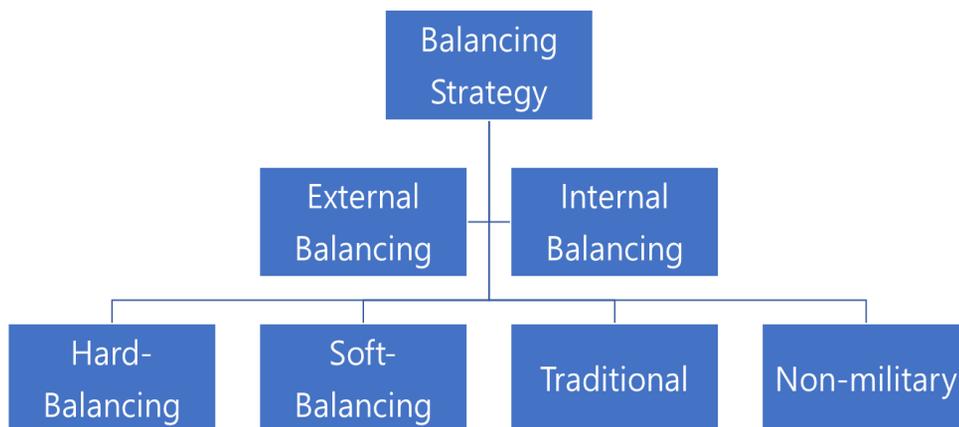
<sup>64</sup> Waltz, Kenneth N. (2010). “Theory of international politics.” Waveland Press: pp.103–128.

<sup>65</sup> Salman, Mohammad & Geeraerts, Gustaaf. (2015). “Strategic Hedging and Balancing Model under the Unipolarity.” pp.1–19.

<sup>66</sup> Bendel, T. R. (1994). “On the Types of Balancing Behavior.” Naval Post Graduate School; pp.1–113

Waltz (2010) define external balancing strategy as “moves to strengthen and enlarge one's own alliance or to weaken and shrink an opposing one,” and internal balancing strategy as “moves to increase economic capability, to increase military strength, [and/or] to develop clever strategies”<sup>67</sup> External balancing strategy can be divided into hard-balancing strategy and soft-balancing strategy whereas internal balancing strategy can be divided into traditional military strategy and non-traditional, non-military strategy. The below figure shows the categorization of external balancing and internal balancing.

**Figure 4. Modes of Balancing Strategies**



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<sup>67</sup> Waltz, Kenneth N. (2010). “Theory of international politics.” Waveland Press: pp.103-128.

*Source:* Lenihan, Ashley. (2018). “Balancing Power without Weapons: State Intervention into Cross–Border Mergers and Acquisitions.”

This research will focus on external balancing strategy and analyzes how the U.S. is allying with the Philippines and Vietnam to balance China in the South China Sea. According to Bendel (1994), the smaller the power of the balancing state relative to the hegemon and the lower economic cost of alliance versus military expenditure, the more likely it is to balance externally rather than internally.<sup>68</sup> For the Philippines and Vietnam, they have no option but to balance with the U.S. since China is too big a country to stand alone themselves. For the U.S., allying with the Philippines and Vietnam is its best option since it is not a claimant country in the South China Sea disputes. The U.S. balancing strategy in the South China Sea is mainly external balancing strategy, focusing on strengthening its security ties with the Philippines and improving the relationship with Vietnam, as well as counter–balancing China by using international law and institutions.

As explained previously, external balancing strategy can be categorized into hard–balancing strategy and soft–balancing

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<sup>68</sup> Bendel, T. R. (1994). “On the Types of Balancing Behavior.” Naval Post Graduate School; pp.1–113

strategy. Hard-balancing strategy involves military actions such as directly strengthening military forces or doing military exercises with third-party countries to balance another country. Randall Schweller (2004) defines balancing as creation or aggregation of military power through internal mobilization or the forging of alliances to prevent or deter the territorial occupation or political and military domination of the state by a foreign power or coalition.<sup>69</sup> He and Feng (2008) also explain balancing strategy closely with military affairs in terms of hard-balancing strategy, emphasizing military and security as crucial elements of balancing, and define balancing strategy a countervailing policy designed to improve abilities to prosecute military missions in order to deter and/or defeat another state.<sup>70</sup>

Soft-balancing strategy involves non-military actions such as economic or diplomatic means to exercise power to balance another state. According to Paul (2004), soft-balancing occurs when states develop limited security understanding with one another through a limited arms buildup, ad hoc cooperative exercise, or collaboration in regional or international institutions to balance a threatening country or a rising power.<sup>71</sup>

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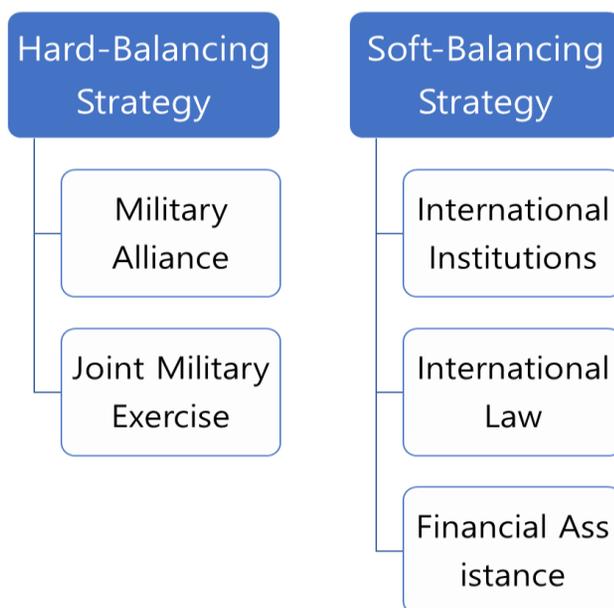
<sup>69</sup> He Kai and Huiyun Feng. (2008). "If not soft balancing, then what? Reconsidering soft balancing and U.S. policy toward China." *Security Studies* 17.2: pp.363-395.

<sup>70</sup> Ibid.

<sup>71</sup> Tran Truong Thuy, (2016). "Rebalancing: Vietnam's South China Sea Challenges and Responses." *The Japan Institute of International Affairs:*

Thuy (2016) explained two main elements of soft-balancing strategy in the South China Sea; engaging international institutions and regional forums to raise the South China Sea disputes into an international level, and using international law, especially the UNCLOS 1982, to establish the condition of ‘rule of law’ in the South China Sea.<sup>72</sup> It also includes maritime partnerships and financial assistance between the U.S., the Philippines, and Vietnam. The below figure shows elements of hard-balancing strategy and soft-balancing strategy.

**Figure 5: Elements of Hard-Balancing Strategy and Soft-Balancing Strategy**



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pp.1-18.  
<sup>72</sup> Ibid.

Besides hard-balancing and soft-balancing, IR scholars have recently come up with a new type of state behavior in the 21<sup>st</sup>-century unipolar system called strategic hedging. Salman and Geeraerts (2015) introduce several definitions of strategic hedging from several scholars. Accordingly, strategic hedging “is a set of strategies intended to avoid a situation in which states cannot adopt straightforward alternatives such as balancing, bandwagoning, or neutrality.”<sup>73</sup> One crucial aspect of hedging strategy is that this takes ‘engagement’ into account. Engagement aims to develop a closer political and economic relationship with a country and draws it into international society, in so doing, changing its leader’s preferences and actions toward more peaceful inclinations.<sup>74</sup> Goh (2005) differentiates engagement with bandwagoning, explaining that bandwagoning clearly aligns with one side and thus cannot be combined with engagement toward the same state while engagement can be pursued at the same time as indirect or soft balancing policies. Through strategic hedging, second-tier states maximize opportunities and minimize threats while the system leader seeks to maintain its superiority and deter any attempt to change the current international system, thus creating both positive

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<sup>73</sup> Salman, Mohammad & Geeraerts, Gustaaf. (2015). “Strategic Hedging and Balancing Model under the Unipolarity.” pp.1-19.

<sup>74</sup> Goh, E. (2005). “Meeting the China challenge: The US in Southeast Asian regional security strategies.” East-West Center: pp.1-82.

and negative balancing strategies.<sup>75</sup> Strategic hedging is much like balancing behavior in that the hedging state develops its military and economic competitiveness in order to decrease significant superiority of the system leader under unipolar conditions.<sup>76</sup> According to Salman and Geeraerts (2015), strategic hedging involves a positive balancing strategy based on three fundamental pillars; support the economic capabilities of the hedge state, increase military capabilities and military presence in important areas of national security, and avoid direct collision with the leading state.

Salman and Geeraerts (2015) gives four hypotheses on strategic hedging; one is that it is more likely for the second-tier states to choose positive non-military balancing strategies when a significant gap in capabilities exists between the leader state, second is that it is more likely for the leading state to choose negative non-military balancing strategies at this phase to weaken the potential rival, third is that second-tier states might rely more on positive military balancing strategies in case of reduction of the gap and convergence in capabilities between the leader state, fourth is that the leading state would pursue negative military balancing strategies to undermine the second-tier states in case of increased threat from

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<sup>75</sup> Salman, Mohammad & Geeraerts, Gustaaf. (2015). "Strategic Hedging and Balancing Model under the Unipolarity." pp.1-19.

<sup>76</sup> Ibid.

its rival.<sup>77</sup> The below figure shows the model of strategic hedging by hedging state and leader state.

**Figure 6: Strategic Hedging and the Most Likely Balancing Models under the Unipolarity**

	By Hedging State	By Leader System
A Significant Gap in Capabilities	- positive nonmilitary balancing strategy	- negative nonmilitary balancing strategy
Reduce the Gap and Convergence in Capabilities	- positive military balancing strategy	- negative military balancing strategy

*Source:* Salman, Mohammad & Geeraerts, Gustaaf. (2015). “Strategic Hedging and Balancing Model under the Unipolarity.”

Hedging strategy is often used by Southeast Asian states in order to prevent Chinese hegemony and secure regional order. According to Goh (2005), hedging strategy by Southeast Asian states has three elements: first is indirect or soft balancing, which mainly involves persuading other major powers, particularly the U.S. to act as counterweights to Chinese regional influence, second is engagement of China at the political, economic, and strategic levels and successfully persuading China to abide by international rules and norms, and third is involvement of many regional great powers

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<sup>77</sup> Ibid.

and giving them a stake in a stable regional order.<sup>78</sup> China is also using strategic hedging to improve its economic and military competitiveness due to the uncertain situation regarding its future relations with the U.S. over the South China Sea disputes, by focusing on both military assertiveness and diplomatic dialogue to amend relationship with neighboring states.<sup>79</sup>

## Chapter 5. U.S. Hard–Balancing Strategies in the South China Sea

What hard–balancing strategies does the U.S. use against China in the South China Sea? This and the following sections will analyze the U.S. hard–balancing strategies in the South China Sea in detail, focusing on the FONOP and U.S. military exercises in the South China Sea with the Philippines and Vietnam.

### 1. Freedom of Navigation Operations (FONOP)

One vital U.S. strategic interest in the South China Sea is the ‘Freedom of Navigation (FON)’ FON is a customary international law which is codified in the United Nations Convention on the Law

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<sup>78</sup> Goh, E. (2005). “Meeting the China challenge: The US in Southeast Asian regional security strategies.” East–West Center: pp.1–82.

<sup>79</sup> Salman, Mohammad & Geeraerts, Gustaaf. (2015). “Strategic Hedging and Balancing Model under the Unipolarity.” pp.1–19.

of Sea (UNCLOS). Initially, the territorial sea is considered as sovereign territory of a country. Thus, the country has “the exclusive right to make, apply, and execute its laws in that space without foreign interference.”<sup>80</sup> Yet, FON guarantees the right of innocent passage through the territorial sea regarding trade and commerce as well as the exercise of high seas freedoms associated with nonhostile military activities based on the UNCLOS which allows all ships from all countries, including both civilian and military vessels, enjoy the right of innocent passage through the territorial sea of other states.

According to Lynn Kuok (2016), FONOPs by the U.S. aims to secure “freedom of navigation” including:<sup>81</sup>

- exercise innocent passage in the territorial sea (applicable only to ships)
- exercise transit passage through straits (applicable to ships and aircraft)
- exercise innocent passage through archipelagic waters (applicable only to ships)
- exercise archipelagic sea lanes passage in sea lanes and air routes designated by archipelagic states or where none are designated through the routes commonly used for international

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<sup>80</sup> Eleanor Freund. (2017). “Freedom of Navigation in the South China Sea: A Practical Guide.” Belfer Center for Science and International Affairs. Harvard Kennedy School: pp.1-52.

<sup>81</sup> Kuok, L. (2016). “The U.S. FON Program in the South China Sea.” East Asia Policy Paper, 9.: pp.1-38.

navigation (applicable to ships and aircraft)

- exercise navigation and overflight rights in the EEZ and high seas
- use the EEZ and high seas for military purposes (for ships and aircraft)

China has been expressing exclusive territorial claims on the South China Sea and complained about FONOPs of the U.S. as well as the neighboring countries on the South China Sea. The U.S. has objected to the exclusive territorial claims of China in this area, asserting that this claim could limit freedom of the seas. The U.S. clearly stated that it would continue its FONOP as “the U.S. will continue to sail, fly and operate anywhere that international law allows.”<sup>82</sup> During the Obama administration, U.S. held five FONOPs in the South China Sea: October 27, 2015; January 29, 2016; May 10, 2016; October 21, 2016; and May 24, 2017. The below figure shows detail information of these FONOPs.

### **Figure 7: FONOP During the Obama Administration**

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<sup>82</sup> Obama, Barack, (September 25, 2015). “Remarks by President Obama and President Xi of the People's Republic of China in Joint Press Conference”, The White House, Office of the Press Secretary.



October 27, 2015: USS Lassen (DDG-82) transits within 12 nautical miles of Spratly Islands



January 30, 2016: USS Curtis Wilbur (DDG-54) transits within 12 nautical miles of Triton Island in the Paracel Islands



May 10, 2016: USS William P. Lawrence (DDG-110) transits within 12 nautical miles of Fiery Cross Reef in the Spratly Islands



October 21, 2016: USS Decatur (DDG-73) transits near Triton Island and Woody Island in the Paracel Islands



May 24, 2017: USS Dewey transits within 12 nautical miles of Mischief Reef in the Spratly Islands

Each of these operations made specific excessive maritime claims, sending clear messages to China. In the first three FONOPs, the U.S. challenged the illegal requirement that ships provide notification or obtain permission before transiting through another country's territorial sea under innocent passage.<sup>83</sup> China, Taiwan, and Vietnam require ships passing innocent passage in their territorial sea to get prior permission or notification. However, the U.S. did not send any notification or ask for permission before passing innocent passage during FONOPs.

In the fourth FONOP, the U.S. challenged excessive straight

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<sup>83</sup> Eleanor Freund. (2017). "Freedom of Navigation in the South China Sea: A Practical Guide" Belfer Center for Science and International Affairs. Harvard Kennedy School: pp.1-52.

baseline claims.<sup>84</sup> The baseline is a crucial concept because this is the starting point where the territorial sea, contiguous zone, and exclusive economic zone are measured. China established straight baselines around the Paracel Islands in the South China Sea and asserted the entire enclosed area as part of its sovereign waters as well as a 12 nautical mile territorial sea surrounding the enclosed area.<sup>85</sup> However, the U.S. did not recognize China's straight baseline claims around the Paracel Islands and did FONOP, crossing China's claimed straight baselines in the Paracel Islands, loitering in the area and conducting maneuvering drills.<sup>86</sup>

In its fifth FONOP, the U.S. challenged the existence of an illegal territorial sea.<sup>87</sup> The U.S. Navy destroyer USS Dewey transited within 12 nautical miles of Mischief Reef in the Spratly Islands which is occupied by China as well as the Philippines, Taiwan, and Vietnam, challenging the existence of an illegal territorial sea around Mischief Reef.<sup>88</sup> Yet, some debates remain on this as neither China, the Philippines, Taiwan, nor Vietnam has actually claimed a territorial sea around Mischief Reef and this area is not legally entitled to a territorial sea.<sup>89</sup>

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<sup>84</sup> Ibid.

<sup>85</sup> Ibid.

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

How effective are the FONOPs in curbing China's hard-line policy in the South China Sea? According to Liu Xiaobo (2019), the answer is quite effective. China has three response choices to FONOPs; maintaining status quo, responding harshly to FONOPs, or seeking mutual compromise with the U.S.

In the case of maintaining the status quo, FONOPs are performed routinely, and China continues to respond by sending out air and surface units to carry out verification and warn the U.S. naval ships to steer away as well as diplomatic statements that deny the legality of FONOPs.<sup>90</sup> The U.S. operates its FONOPs in the South China Sea in direct opposition to China's 'Law of Territorial Sea and the Contiguous Zone' and the 'Baselines of the Territorial Sea' weakening the authority of the Chinese government in the South China Sea.<sup>91</sup> But the Chinese naval ships and aircraft would only respond by monitoring the U.S. ships and warning them off. If FONOPs continue over time, the U.S. will win over as this will shape international consent and strengthen international recognition of its freedom of navigation while undermining China's national credibility.<sup>92</sup>

In the case of harsh response, China meets FONOPs with military

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<sup>90</sup> Liu Xiaobo. (March, 2019). "How China Can Resolve the FONOP Deadlock in the South China Sea" Asia Maritime Transparency Initiative.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

force. However, Xiaobo (2019) claimed that this would not stop FONOPs as the U.S. will not make concessions to Chinese military pressure since there is a gap between the U.S. and Chinese forces. He stated that the history of the FONOPs by the U.S. since 1991, challenging maritime claims over almost 60 countries and convincing nine countries to revise their domestic legislation on the innocent passage, gives credibility to FONOPs in the South China Sea.<sup>93</sup> In addition, China would lose relative strength in the security order of the South China Sea as rising tensions in the area would give chances for the U.S. and its allies to strengthen their influence in the area.

In the case of making a mutual compromise, China makes a compromise with the U.S. on FONOPs and freedom of navigation concept in order to maximize gains. Although China is stubborn in its territorial sovereignty issue, it also recognizes the long-term benefits accumulated from freedom of navigation and maritime law as China is looking to increase its global influence through the Belt and Road Initiatives.<sup>94</sup>

## 2. U.S.–Philippines: EDCA, Balikatan Exercise, CARAT

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<sup>93</sup> Ibid.

<sup>94</sup> Ibid.

Since 2005, the U.S. strengthened its traditional security alliance with the Philippines. China's assertive behavior in the South China Sea further encouraged cooperation between the U.S. and the Armed Forces of the Philippines (AFP) to develop maritime capabilities and conduct joint South China Sea naval patrols. In August 2011, the U.S. and Philippines agreed to develop a framework to increase bilateral and multilateral security and maritime domain awareness.<sup>95</sup> There are five measures in brief: U.S. rotational presence in Philippines to assist the AFP in developing its own capability for territorial defense; to increase bilateral maritime security activities between the U.S. and Philippines; development of joint-use maritime security support facilities; improved bilateral information sharing between the U.S. and Philippines; coordinated and integrated maritime security initiatives between U.S. Pacific Command and the AFP.<sup>96</sup>

One big pillar in the U.S.–Philippines relationship is the Enhanced Defense Cooperation Agreement (EDCA). This is a supplemental agreement of the Visiting Forces Agreement (VFA) that was signed by former Philippines Defense Secretary Voltaire Gazmin and former U.S. Ambassador to the Philippines Philip Goldberg on April 28, 2014. The EDCA initially did not gain constitutionality as it did not gain concurrent consensus from the

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<sup>95</sup> De Castro, Renato Cruz. (2012). "Future Challenges in the U.S.–Philippines Alliance." *Asia Pacific Bulletin* 168: pp.1–2.

<sup>96</sup> *Ibid.*

Philippines Senate, creating a deadlock while the executive branch and the opposition groups waited for a decision from the Philippines Supreme Court before the agreement could be implemented.<sup>97</sup> EDCA finally became a constitutional agreement on July 26, 2016, as the Philippines Supreme Court affirmed the constitutionality of EDCA and supported the executive branch's position that it is an implementing agreement of the 1999 Visiting Forces Agreement and the 1951 Mutual Defense Treaty.<sup>98</sup>

Under EDCA, the U.S. and Philippines can operate high-impact and high-value security cooperation exercises, joint and combined training activities that promote interoperability, and capacity building.<sup>99</sup> To be more specific, EDCA helps to facilitate the enhanced rotational presence of U.S. forces; facilitate humanitarian assistance and disaster relief in the Philippines and the region; improve opportunities for bilateral training; and support the long-term modernization of the AFP as it works to establish a minimum credible defense.<sup>100</sup>

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<sup>97</sup> Castro, Renato. (2016). The Geo-Politics of 2014 Philippine-U.S. EDCA (Enhanced Defense Cooperation Agreement): Projecting American Airpower into the Dragon's Lair. *Korean Journal of Defense Analysis*: pp.1-25.

<sup>98</sup> Ibid.

<sup>99</sup> Amador, Julio S. (2014). "Eyes on the prize? the Philippines-US alliance and defense modernization." *Asia Pacific Bulletin* 297: pp.1-2.

<sup>100</sup> De Castro, Renato Cruz. (2014). "The 21st century Philippine-US Enhanced Defense Cooperation Agreement (EDCA): The Philippines' policy in facilitating the Obama administration's strategic pivot to Asia." *The Korean Journal of Defense Analysis* 26.4: pp.427-446.

Article III of the EDCA states these points:<sup>101</sup>

- In paragraph 2, “transit or temporary access by U.S. forces to public land and facilities including those owned or controlled by local government, and to other land and facilities.
- In paragraph 4, “operational control of Agreed Locations for construction activities and authority to undertake such activities on, and make alterations and improvements to, Agreed Locations.”

The essence of EDCA is that the U.S. military authorizes and manages, as well as has access to some AFP facilities. The EDCA also allows the U.S. Air Force (USAAF) and the U.S. Marine Corps Aviation to apply the “Checkered Flag” model in which the U.S. can deploy its tactical airforce in military facilities in Northeast and Southeast Asia for training, meaning more U.S. fighters and crews can move out to the Pacific and train on a “force-to-force” basis in a combat environment where they might actually fight.<sup>102</sup> Thus, EDCA is crucial for both the U.S. and the Philippines as it offers tactical and operational flexibility, and a less expensive method to encourage long-standing security cooperation between the U.S. and the Philippines.<sup>103</sup> Moreover, the U.S. facilities located

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<sup>101</sup> MagaUona, Merlin M. (2014). “A Critical Review of the Enhanced Defense Cooperation Agreement Between the Republic of the Philippines and the United States of America.” *Ateneo Law Journal* 59 (2): pp.453–80.

<sup>102</sup> Castro, Renato. (2016). “The Geo-Politics of 2014 Philippine–U.S. EDCA (Enhanced Defense Cooperation Agreement): Projecting American Airpower into the Dragon's Lair.” *Korean Journal of Defense Analysis*: pp.1–25.

<sup>103</sup> De Castro, Renato Cruz. (2014). “The 21st century Philippine–US Enhanced Defense Cooperation Agreement (EDCA): The Philippines’ policy

around the South China Sea and near China can confound the PLA's anti-access/area/denial strategy by enabling prompt deployment of U.S. forces in case of armed conflict in the area.

According to Castro (2014), EDCA has significant geopolitical implications. First is that EDCA strengthens Philippines determination in securing its territorial claims in the South China Sea and tests the U.S. credibility in its commitment to defend the Philippines in the case of armed conflict.<sup>104</sup> Second is that EDCA can facilitate rapid and massive deployment of the U.S. forces in armed conflict in the South China Sea, East China Sea, and the Taiwan Strait.<sup>105</sup> Third is that EDCA can restrict China's A2/AD planning and capabilities. The U.S. fighter planes, reconnaissance patrol aircraft, and drones operating in Philippines base increase a carrier battlegroup's defensive capabilities by expanding its complement of over 70 aircraft while the U.S. land-based fighter bombers and reconnaissance planes could monitor and restrict Chinese surface combatants, aircraft, and submarines in the South China Sea.<sup>106</sup> Also, air-refueling tankers operating in the Philippines could extend the combat-radius of the carrier-based F/A 18 fighter bombers in the Philippines since a carrier

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in facilitating the Obama administration's strategic pivot to Asia." The Korean Journal of Defense Analysis 26.4: pp.427-446.

<sup>104</sup> Castro, Renato. (2016). "The Geo-Politics of 2014 Philippine-U.S. EDCA (Enhanced Defense Cooperation Agreement): Projecting American Airpower into the Dragon's Lair." Korean Journal of Defense Analysis: pp.1-25.

<sup>105</sup> Ibid.

<sup>106</sup> Ibid.

battlegroup operating in the Philippines Sea could launch long-range carrier-based planes for deep strike-missions in the South China Sea along with China's coastal areas.<sup>107</sup>

As a matter of fact, EDCA poses a direct threat to China. The former Chinese Foreign Ministry spokesperson Hua Chunying said that the “the U.S.–Philippines cooperation should not target a third party (China), even less jeopardize the sovereign and security interests of other countries or affect regional peace and stability” and that it is the U.S. which is responsible for the militarization of the South China Sea.<sup>108</sup>

Balikatan exercises also play an essential role in the U.S.–Philippines hard-balancing strategy in the South China Sea. Balikatan exercise, meaning shoulder-to-shoulder, is an annual U.S.–Philippines military training exercise focused on a variety of agendas, including humanitarian assistance and disaster relief, counter-terrorism, territorial defense, environmental protection, and maritime security as well as maritime law enforcement. Despite having broad initiatives, Balikatan exercises constitute an essential pillar for the U.S.–Philippines external hard-balancing strategy. As former Foreign Secretary of the Philippines Albert del Rosario

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<sup>107</sup> Ibid.

<sup>108</sup> Ankit Panda. (March, 2016). “South China Sea: China Slams U.S.–Philippines Rotational Basing Agreement: China cites the announcement of U.S. access to Philippines bases as evidence of militarization in the South China Sea” The Diplomat.

stated, Balikatan exercises would reinforce the readiness of the Philippines and the U.S. to deal with tensions “due to excessive and expansive maritime and territorial claims” and “aggressive patterns of behavior” referring to China’s increasingly assertive behavior in the area.<sup>109</sup>

With regards to the South China Sea, three Balikatan exercises are worth explaining; Balikatan 2015, Balikatan 2016, and the most recent Balikatan 2019. Balikatan 2015 took place in coastal areas facing the South China Sea amidst China’s island-building activities in the area, focusing on territorial defense, humanitarian assistance, and disaster response. 11,740 American, Filipino, and Australian troops, which were twice the number of forces in last year’s Balikatan exercise, participated and conducted joint training exercises and maneuvers in three separate locations in the Philippines.<sup>110</sup> The U.S. deployed 75 aircraft and three warships while the Philippines sent 15 aircraft and one ship, and Australia brought one transport plane.<sup>111</sup> Balikatan 2016 is important because it emphasized the territorial defense component and focused on improving the AFP’s capabilities for external defense, as well as interoperability in maritime security between the U.S. and the

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<sup>109</sup> Ankit Panda. (May, 2014). “U.S., Philippines Begin Annual ‘Balikatan’ Military Exercise: The annual exercise will involve 5,500 troops and focus primarily on disaster relief.” *The Diplomat*.

<sup>110</sup> De Castro, Renato Cruz. (April, 2015). “U.S.-Philippines Balikatan Exercise in the Face of Chinese Island Building.” *Asia Maritime Transparency Initiative*.

<sup>111</sup> *Ibid*.

Philippines and maintaining regional security.<sup>112</sup> The AFP tested newly acquired military materiel including FA-50 light combat aircraft, heavy landing craft (LCH), and M113 armored personnel carriers.<sup>113</sup> In addition, the Philippines Air Force's FA-50s trained with Hawker Hunters and A-10 Thunderbolts on air interception, interdiction, and ground support while the Philippines Navy's LCHs joined a U.S. Navy dock landing ship in a maritime mobility exercise to enhance the two navies' capability to respond to natural disasters.<sup>114</sup> The most recent Balikatan 2019 is even more significant in that it conducted territorial defense exercises in locations facing the South China Sea with live-fire activity and amphibious operations including a naval exercise modeling the seizure of an island in the South China Sea.<sup>115</sup> The Philippines and the U.S. Navy and Air Force did a bilateral amphibious exercise in Zambales, Luzon, 110 miles from the Scarborough Shoal, demonstrating the two allies' combined ability to capture and occupy a littoral objective in the South China Sea.<sup>116</sup>

The U.S. is also cooperating with the Philippines through CARAT. Cooperation Afloat Readiness And Training (CARAT)

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<sup>112</sup> De Castro, Renato Cruz. (April, 2016). "Balikatan Exercise Highlights Territorial Defense and Multilateral Approach" Asia Maritime Transparency Initiative.

<sup>113</sup> Ibid.

<sup>114</sup> Ibid.

<sup>115</sup> De Castro, Renato Cruz. (April, 2019). "Balikatan 2019 and the Crisis in Philippines-China Rapprochement" Asia Maritime Transparency Initiative.

<sup>116</sup> Ibid.

program is a series of annual bilateral military exercises conducted by the U.S. Pacific Fleet with several ASEAN member countries including Bangladesh, Brunei, Cambodia, Indonesia, Malaysia, Philippines, Singapore, Sri Lanka, and Thailand. Through the CARAT program, the U.S. aims to increase regional cooperation, build friendships with the participating Southeast Asia states, and improve professional skills at every level. Although the CARAT program was not explicitly aimed at the South China Sea, it plays an essential role in the U.S. hard-balancing strategy in the area.

In terms of the South China Sea, three CARAT programs are noteworthy; CARAT 1996, CARAT 1997, and CARAT 1999. In CARAT 1996 and CARAT 1997 exercises, six countries in the South China Sea region; Brunei, Philippines, Indonesia, Malaysia, Thailand, and Singapore participated for two months. During the two exercises, active and reserve surface combatants, maritime patrol aircraft, a Marine air-ground task force embarked in amphibious combatants, medical detachments and a U.S. Coast Guard training were dispatched.<sup>117</sup> The main achievement for CARAT 1996 and CARAT 1997 was to promote regional maritime interoperability, increase readiness, boost military-to-military relations and safeguard the stability of Southeast Asian sea lanes of

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<sup>117</sup> Website: Global Security.org “Cooperation Afloat Readiness and Training (CARAT)”  
<https://www.globalsecurity.org/military/ops/carat.htm>

communication.<sup>118</sup> CARAT 1999 exercise also concentrated on increased interoperability in Anti-Submarine, Anti-Air, Amphibious Warfare, Mine Warfare, In-Shore Undersea Warfare, diving and salvage operations, and logistics with participating Asian countries.<sup>119</sup>

During the Obama administration, CARAT 2014 took place with the Philippines and nine partner navies in Southeast Asia. One notable fact about CARAT 2014 is that the exercise took place south of Scarborough Shoal where strict tension between the Philippines and China occurred in 2012, addressing shared maritime security priorities, strengthening maritime partnerships, and enhancing interoperability among participating navies.<sup>120</sup> CARAT 2014 included the Philippines' two newest and biggest warships and about one thousand naval troops from both navies.<sup>121</sup> The Guided-missile destroyer USS John S. McCain (DDG 56) and the dock landing ship USS Ashland (LSD 48) set sail with Philippines Navy frigates BRP Gregorio Del Pilar (PF 15) and BRP Ramon Alcaraz (PF 16) for the at-sea phase in the west of Subic Bay, carrying out maneuvers and enhancing communication procedures.<sup>122</sup> The exercise further involved gunnery drills with

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<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

<sup>122</sup> Website: Agatha Alexis Bermachea, Justin Goldman. (July, 2014).

“CARAT PH: 20 years of enhanced PH-U.S. maritime cooperation.” Rappler.

ships engaging towed targets with surface fires, while the at-sea portion incorporated aviation assets from both navies.<sup>123</sup> The U.S. and the Philippines also held the Military Operations and Law symposium under the CARAT 2014, and exchanged dialogue on hook and line techniques, robot operations, breaching charges as methods to deal with Improvised Explosive Devices (IED), and combat life-saving technology.<sup>124</sup>

### 3. U.S.–Vietnam: Naval Engagement Activity, SEACAT

The U.S. expanded its security cooperation with Vietnam, especially during 2010. On August 8, the U.S. Navy’s nuclear-powered aircraft carrier, USS George Washington, arrived off the coast of Danang and participated in exchanges with members of the Vietnamese military and government and also conducted joint search and rescue training.<sup>125</sup> Shoji (2018) also added that Aegis destroyer USS John S. McCain made a port call in Danang on August 10.

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<https://www.rappler.com/nation/62449-carat-philippines-20-years-enhancing-maritime-cooperation>

<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

<sup>125</sup> Tomotaka Shoji. (December, 2018). “Vietnam’s Security Cooperation with the United States: Historical Background, Present and Future Outlook.” NIDS Journal of Defense and Security: pp.1-14.

In terms of U.S. hard-balancing strategy with Vietnam, Naval Engagement Activity (NEA), which is related to non-traditional security areas by the two countries' navies, have been conducted regularly since 2010 following annual port visits to Da Nang from the U.S. Navy ships. NEA aims to increase mutual understanding, build confidence in the maritime domain, and develop relationships between navies of both the U.S. and Vietnam. Amidst the rising tensions in the South China Sea, NEA with Vietnam evolved into a complex multi-day bilateral naval engagement. On April 21, 2013, the U.S. Navy began the fourth annual Naval Engagement Activity with the Vietnam People's Navy, focusing on non-combatant events covering search and rescue, medical exchanges, diving medicine, navigation, and shipboard firefighting.<sup>126</sup> The U.S. held fifth consecutive NEA with Vietnam in 2014, with approximately 400 U.S. Navy Sailors and civilian mariners.<sup>127</sup> In the sixth annual NEA with Vietnam, littoral combat ship USS Fort Worth (LCS 3) participated in the exercise for the first time and conducted CUES exchanges underway that will help both navies prevent miscommunication at sea and foster mutual understanding.<sup>128</sup> On September 28, 2016, the U.S. and Vietnam

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<sup>126</sup> Website: America's Navy. (April, 2013). "U.S. Navy Begins Annual Vietnam Naval Engagement Activity"  
<https://www.public.navy.mil/surfor/ddg93/pages/usnavybeginsannualvietnamnavalengagementactivity.aspx>

<sup>127</sup> Website: America's Navy. (April, 2014). "U.S. Navy and Vietnam People's Navy Build Confidence during NEA 2014"  
[https://www.navy.mil/submit/display.asp?story\\_id=80203](https://www.navy.mil/submit/display.asp?story_id=80203)

<sup>128</sup> Website: The Maritime Executive. (April, 2015). "U.S. and Vietnam Begin

held the seventh-annual NEA with Vietnam focusing on non-combatant events as well as symposia in military medicine and maritime law, subject-matter expert exchanges in navigation, shipboard medicine and damage control and community service.<sup>129</sup>

ASEAN is another important partner for the U.S. hard-balancing strategy with Vietnam. As will be explained later, ASEAN is an international institution comprised of Southeast Asia states. Although ASEAN is not a state, the U.S. began to engage with ASEAN as early as 1977 and further strengthened cooperation in the early 1990s, with the start of economic programs concentrating on trade and investment, technology transfer, and education.<sup>130</sup> As a member country of ASEAN, Vietnam enthusiastically welcomed the deepening relationship between the U.S. and ASEAN, and encouraged U.S. involvement in the South China Sea disputes.

From this point of view, the Southeast Asia Cooperation Training (SEACAT) exercises can also be considered as U.S. hard-balancing strategy with Vietnam. SEACAT was originally the

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Naval Engagement Activities”

<https://www.maritime-executive.com/article/us-and-vietnam-begin-naval-engagement-activities>

<sup>129</sup> Website: The U.S. Embassy and Consulate in Vietnam. (September, 2016) “Seventh Annual Naval Engagement Activity Begins in Danang” [https://vn.usembassy.gov/20160928-press\\_release\\_7th-annual-naval-engagement-activity-begins-danang/](https://vn.usembassy.gov/20160928-press_release_7th-annual-naval-engagement-activity-begins-danang/)

<sup>130</sup> Website: U.S. Mission to ASEAN. “History of the U.S. and ASEAN relations”

<https://asean.usmission.gov/our-relationship/policy-history/usasean/>

abbreviation for “Southeast Asia Cooperation Against Terrorism” and was not explicitly aimed for maritime security. But in 2012, it was renamed as “Southeast Asia Cooperation Training” and expanded to include training among regional navies and coast guards. Through various workshops, information exercises, and operations, SEACAT focuses on bringing together liaison officers from Southeast Asia to solve maritime security challenges and boost multilateral cooperation and information-sharing among navies and coast guards in South and Southeast Asia. According to Joey Tynch, Rear Admiral in Commander Task Force “SEACAT demonstrates the combined commitment of navies, coast guards, law enforcement and other interagency organizations from the U.S. and ASEAN to work side-by-side in ensuring a transparent and inclusive information-sharing architecture where all partner nations, large and small, contribute to maritime domain awareness,”<sup>131</sup>

According to report articles by America’s Navy, during each SEACAT activities, liaison officers will receive simulated reports of suspect vessels in the Straits of Singapore and Malacca, the Andaman Sea or the South China Sea and develop as well as implement response plans during a concurrent field training exercise after sharing information from Singapore's Information

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<sup>131</sup> Website: U.S. Indo-Pacific Command. (Aug. 27, 2018 ). “17th Southeast Asia Cooperation and Training Exercise Kicks-Off with 9 Nations” <https://www.pacom.mil/Media/News/News-Article-View/Article/1613833/17th-southeast-asia-cooperation-and-training-exercise-kicks-off-with-9-nations/>

Fusion Centre, Malaysia's International Maritime Bureau, or the Philippines' Coast Watch System. Depending on the situation, aircraft and ships from participating navies and coast guards will investigate and conduct on-scene boardings as necessary, increasing complexity and participation of states in the exercise.

## **Chapter 6. U.S. Soft-Balancing Strategies in the South China Sea**

What soft-balancing strategies does the U.S. use against China in the South China Sea? The following section will analyze U.S. soft-balancing strategy in the South China Sea by focusing on Maritime Security Initiative, UNCLOS, international institutions such as ASEAN, and using forums like the ARF and Shangri-La Dialogue.

### **1. Maritime Security Initiative (MSI)**

One significant pillar in the U.S. soft-balancing strategy is the U.S. foreign military financing program done by the Defense Security Cooperation Agency (DSCA). For the purpose of conducting partner capacity building in the South China Sea region, the U.S. authorized FY16 National Defense Authorization Act (NDAA) Section 1263 South China Sea (SCS) Maritime Security Initiative (MSI). Five countries; Philippines, Vietnam, Indonesia, and Malaysia are mentioned for U.S. assistance and training. In brief,

MSI is a \$425 million, five-year maritime security capacity-building initiative for Southeast Asian states near the South China Sea. One unique aspect of MSI is that it focuses on enhancing regional maritime domain awareness (MDA) and establishing a common operating picture (COP).<sup>132</sup> As Parameswaran (2016) wrote in his article, the U.S. is cooperating with Southeast Asian countries to improve their ability to detect, understand, react to, and share information about air and maritime activity in the South China Sea through MSI. According to him, \$50 million is allocated for 2016; \$75 million is allocated for 2017; and \$100 million is allocated for each 2018, 2019 and 2020, sending a strong message that the U.S. is committed to sustaining its efforts to aid maritime capacity-building efforts in the Asia-Pacific.<sup>133</sup> Notably, most of the funds for the first year went to the Philippines, as much as \$79 million, to help modernize the technology and train staff at the Philippines National Coast Watch Center, enhance an information network to enable classified information sharing between U.S. Pacific Command in Hawaii and key Philippines maritime command centers, provide an aerostat reconnaissance platform, and outfit Philippines navy patrol vessels with better sensors.<sup>134</sup> The U.S. also expanded its maritime assistance to Vietnam by increasing

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<sup>132</sup> Prashanth Parameswaran. (April, 2016), “America’s New Maritime Security Initiative for Southeast Asia” *The Diplomat*.

<sup>133</sup> *Ibid.*

<sup>134</sup> Website: The White House, Office of the Press Secretary. (November, 2015). “FACT SHEET: U.S. Building Maritime Capacity in Southeast Asia” <https://obamawhitehouse.archives.gov/the-press-office/2015/11/17/fact-sheet-us-building-maritime-capacity-southeast-asia>

maritime program assistance to Vietnam from \$19.6 million in FY 2015 and further expanding to \$20.5 million in FY 2016, enhancing Vietnam' s maritime Intelligence, Surveillance, and Reconnaissance (ISR) as well as command and control within its maritime agencies.<sup>135</sup>

## 2. U.S.–Philippines: UNCLOS

With regard to maritime law and security, one notable international law is the United Nations Convention on the Law of the Sea (UNCLOS). It was signed in 1982 and deals with territorial sea and the contiguous zone, the continental shelf, the high seas, fishing and conservation of living resources on the high seas. Since its adoption, UNCLOS has become the legal framework for marine and maritime activities.

UNCLOS defines three maritime zones. First is the territorial sea, which extends 12 nautical miles from land and is considered the sovereign territory of a country including airspace and seabed below the territorial sea.<sup>136</sup> Second is the contiguous zone which is considered as part of international waters and

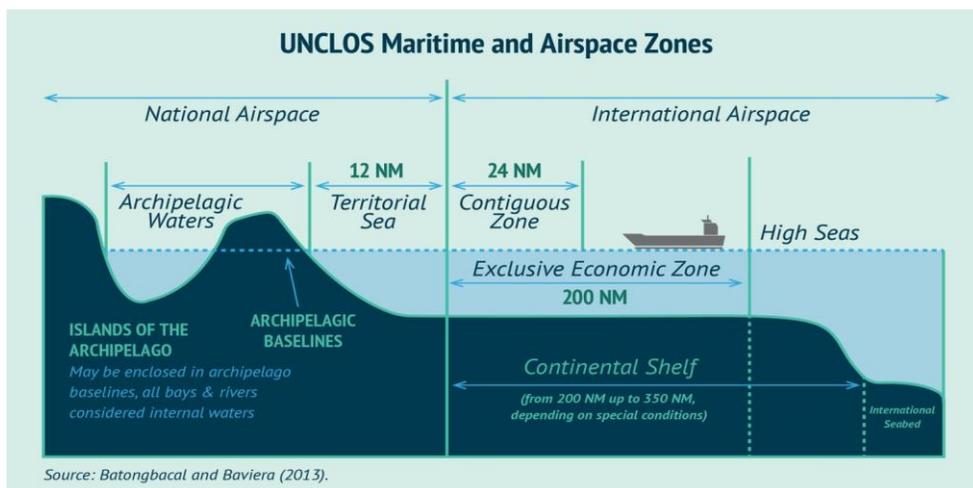
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<sup>135</sup> Ibid.

<sup>136</sup> Eleanor Freund. (2017). “Freedom of Navigation in the South China Sea: A Practical Guide” Belfer Center for Science and International Affairs. Harvard Kennedy School: pp.1–52.

extends 24 nautical miles from land.<sup>137</sup> Third is the Exclusive Economic Zone (EEZ) which encompasses both the territorial sea and the contiguous zone and extends 200 nautical miles from land.<sup>138</sup> In EEZ, a country has the economic privilege and can freely explore and exploit natural resources in its EEZ. UNCLOS also explains three maritime features that constitute maritime zones; islands, rocks, and low-tide elevation. Islands generate all three maritime zones, whereas rocks generate only territorial sea and contiguous zone. Low-tide elevations (LTEs) generate nothing, but if they are within 12 nautical miles of land or an island, LTEs can be used as a starting point to measure maritime zones. The below figure shows the maritime features and maritime zones defined in the UNCLOS.

**Figure 8: UNCLOS Maritime features and maritime zones**



<sup>137</sup> Ibid.

<sup>138</sup> Ibid.

*Source:* Bantongbacal and Baviera. (2013). Asia Maritime Transparency Initiative, Center for Strategic & International Studies.

UNCLOS restricts navigation according to maritime zones. In territorial sea, UNCLOS guarantees a country the privilege to create, apply, and implement its own laws without foreign interference. Yet, UNCLOS also guarantees the right of innocent passage, meaning that both civilian and military vessels move straight through the territorial sea without any activity not necessary for their continuous and expeditious passage. There is no restriction on navigation in the contiguous zone and military as well as surveillance activities are permitted since the contiguous zone belongs to international waters.<sup>139</sup> In EEZ, the country does not have the right to limit navigation since it is also considered as part of international waters.

Ironically, the U.S. is not a party of the UNCLOS, meaning that the U.S. did not ratify the treaty and remained off the list of 168 state parties to UNCLOS. As a result, the U.S. has a weak position in defending U.S. rights and claims within the treaty's institutional framework and remains on the outside. Then why is UNCLOS important in understanding U.S. soft-balancing strategy in the South China Sea? As explained previously, UNCLOS guarantees

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<sup>139</sup> Ibid.

the right of transit passage through the strait, “if the strait is formed by an island of a state bordering the strait and its mainland, transit passage shall not apply if there exists seaward of the island a route through the high seas or through an EEZ of similar convenience.” Although the U.S. is not a member of UNCLOS, it publicly supports UNCLOS and claims high seas freedom of navigation and overflight for all vessels and aircraft, including military vessels and aircraft. In China’s view, the U.S. support for UNCLOS and its forceful assertions is choosing interpretations that favor the U.S. to the detriment of China’s security.<sup>140</sup>

Moreover, the U.S. again openly supported the Permanent Court of Arbitration ruling with regards to the China–Philippines South China Sea Arbitration case, that China's claim of virtual sovereignty over nearly all the South China Sea under a so-called "Nine–Dash Line" runs contrary to UNCLOS. In 2013, the Philippines filed a case against China regarding maritime entitlements and the status of features in the South China Sea. When the result came out in 2016 from the UNCLOS, the Tribunal ruled in favor of the Philippines.

There were three major decisions with regard to the China–Philippines South China Sea arbitration case. First is China’s

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<sup>140</sup> Mark J. Valencia. (May 3th 2019). “Might China Withdraw From the UN Law Of The Sea Treaty?” The Diplomat.

historical rights to the South China Sea and its alleged ‘Nine–Dash Line.’ The tribunal affirmed that the contested area partially overlaps with areas that comprise the EEZ or the continental shelf of the Philippines. Since the coastal country enjoys exclusive rights to the exploitation of natural resources in its EEZ and the continental shelf, the tribunal ruled that China’s historical rights over the South China Sea within the “Nine–Dash Line” in areas including the EEZ or the continental shelf of the Philippines were superseded by the maritime zones regime created by UNCLOS.<sup>141</sup> As a result, the tribunal ruled that China’s claims went beyond the geographic limits imposed by the UNCLOS. Second is the statue of maritime features. According to the UNCLOS, ‘rocks’ does not give coastal countries the right to exploit resources beyond their territorial sea and ‘Low–Tide Elevations’ does not generate any maritime zone. Following the definition of maritime features in the UNCLOS, the tribunal stressed that construction of military installations, reclamation work, and maintenance of military or governmental personnel or civilians by China does not enhance a feature’s status from rock or LTE to a fully entitled island capable of forming an EEZ and a continental shelf.<sup>142</sup> Third is the Chinese land reclamation activities in the South China Sea. As explained previously, China has been increasing its military forces in the South China Sea by building military installations and artificial

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<sup>141</sup> Christine Pichel Medina. (February, 2017). “Legal Victory for the Philippines against China: A Case Study” Global Challenges, no.1.

<sup>142</sup> Ibid.

islands. The tribunal concluded that this is a breach of UNCLOS in that China's aggressive action; prohibits fishing in areas of the Philippines' EEZ in the South China Sea, fails to prevent Chinese vessels from fishing in the Philippines' EEZ at Mischief Reef and Second Thomas Shoal, and prevent Filipino fishermen from traditional fishing at Scarborough Shoal further adding that artificial islands, installations, and structures at Mischief Reef also violated the UNCLOS since this was done without the permission from the Philippines.<sup>143</sup>

Another reason why the U.S. is relying on the UNCLOS for its soft-balancing strategy in the South China Sea is that establishing rule-based stability in the South China Sea through the UNCLOS helps for a peaceful settlement of the South China Sea disputes and guarantees peace and stability in the area. Thus, the UNCLOS is the main pillar for the U.S. soft-balancing strategy and that the U.S. will continue to argue against the Chinese 'Nine-Dash Line' claim around the South China Sea that it is not compatible with the law of the sea and with the provision of the UNCLOS.

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<sup>143</sup> Ibid.

### 3. U.S.–Vietnam: ARF, Shangri–La Dialogue, U.S.–ASEAN Summit

International institutions constitute another pillar of the U.S. soft–balancing strategy in the South China Sea. Geographically, the U.S. is not part of Asia. Thus, the U.S. lacks direct cause to involve in Asia regional issues, making the U.S. hard to involve in the South China Sea. Yet, international institutions are great ways for the U.S. to engage in the South China Sea.

An international organization that has a direct relationship with the South China Sea is the Association of Southeast Asian Nations (ASEAN). In short, it is a regional intergovernmental organization representing “the collective will of the nations of Southeast Asia to bind themselves together in friendship and cooperation and, through joint efforts and sacrifices, secure for their peoples and for posterity the blessings of peace, freedom, and prosperity.” Since its foundation, ASEAN has been a ground in which the U.S. and Southeast Asia countries gather to discuss a variety of Asia regional issues. Especially noteworthy is the ASEAN Regional Forum (ARF) that was established in 1994. In brief, ARF fosters constructive dialogue and consultation on political and security issues of common interest and concern as well as confidence–building and preventive diplomacy in the Asia–Pacific region. Although the U.S. is not a member of ASEAN, it is a

member of ARF and has participated in the ARF meeting annually. Both ASEAN and the ARF are useful tools for raising the South China Sea disputes at the international level and engage other major countries to participate in the disputes. Most of all, small power ASEAN countries welcome the U.S. participation in the ASEAN and the ARF since the involvement of the U.S. and other regional powers works as an effective engagement policy to China and know the importance of keeping the U.S. involved in regional affairs.<sup>144</sup> As a result, ARF plays an important role in the South China Sea as a balance-of-power mechanism for the ASEAN countries since U.S. policy has had a spillover effect on the positions of other countries.

China favors bilateral negotiations rather than formal multilateral processes to discuss the South China Sea conflicts. Yet, as China passed its “Law on the Territorial Sea and the Contiguous Zone” as well as signed a contract with Crestone Energy Corporation to search for oil and gas in the South China Sea in 1992, it was urgent for the Southeast Asia countries to bring South China Sea disputes to ASEAN. At the 1992 ASEAN Ministerial Meeting (AMM), ASEAN issued the ‘ASEAN Declaration on the South China Sea.’ This urged claimants to exercise self-restraint, explore joint cooperation, and urged member states to apply the

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<sup>144</sup> Renato Cruz De Castro. (June, 2017). “The ASEAN Regional Forum in the Face of Great-Power Competition in the South China Sea: The Limits of ASEAN’s Approach in Addressing 21st-Century Maritime Security Issues?” pp. 1-16

principles of the 1976 ASEAN Treaty of Amity and Cooperation in Southeast Asia.<sup>145</sup> At the first ARF meeting in 1994, however, the Chairman' s statement did not include the Spratly Islands or the South China Sea disputes as China indicated that the South China Sea disputes should not figure on the agenda and stressed that the ARF ought to concentrate on discussing CBM. The South China Sea disputes began to appear in the agenda in the second ARF meeting in 1995 as ASEAN and other Asia–Pacific countries have become strong enough to discuss the issues in the multilateral forum.<sup>146</sup> The third ARF meeting directly tackled the South China Sea disputes with Chairman' s statement encouraging claimant countries to abide by international law and UNCLOS II, and explicitly identifying the disputes as a region issue, regardless of China' s initial reservations.<sup>147</sup>

Since then, ARF has been a hot platform for the South China Sea disputes where the U.S. and China directly confront each other. In the 17th ARF, former U.S. Secretary of State Hillary Clinton reaffirmed the U.S. commitment to ASEAN claiming that ASEAN could help the U.S. in maintaining peace and stability in the region and urged a multilateral approach to resolve South China Sea

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<sup>145</sup> To, L. L. (1999). "The South China Sea: China and multilateral dialogues." *Security Dialogue*, 30(2): pp.165–178.

<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*

disputes.<sup>148</sup> She also supported the Declaration on Conduct of Parties (DOC) in the South China Sea that was signed in November 2002. Under the DOC, ASEAN and China agreed to:<sup>149</sup>

- build trust and confidence in four areas: dialogue between defense and military officials, humane treatment of persons in distress, voluntary notification of joint/combined exercises, and voluntary exchange of “relevant information”
- respect freedom of navigation and over flight
- resolve territorial and jurisdictional disputes by peaceful means
- exercise self-restraint “in the conduct of activities that would complicate or escalate disputes” and refrain from occupying uninhabited features
- suggested that signatories “may explore” cooperation in select areas: marine environment protection; marine scientific research

In the 21<sup>st</sup> ARF, the South China Sea was one of the high agenda in which the U.S. and China were strictly divided in the issues. Former U.S. Secretary of State John Kerry proposed a “freeze” on actions in the South China Sea.<sup>150</sup> He asked parties to refrain from establishing new bases on unoccupied features or seizing features that another claimant occupied and clarified what

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<sup>148</sup> Thayer, C. A. (2010). “Recent developments in the South China Sea: grounds for cautious optimism?” S. Rajaratnam School of International Studies: pp.1–50.

<sup>149</sup> Ibid.

<sup>150</sup> Thuc D. Pham. (September, 2014). “Implications of the U.S.-China Split at the ARF Divergent views on how to handle SCS disputes could still inspire a Code of Conduct” The Diplomat.

maintenance operations are adequate and which expand the nature, size, or capabilities of the land features. In light of the remark from the U.S., China argued that it can build whatever it wants on the South China Sea islands. Furthermore, former Deputy Head of the Chinese Foreign Ministry's Boundary and Ocean Affairs Department Yi Xianliang introduced the 'Dual-Track' approach emphasizing that China is committed to maintaining peace and stability and that China and the relevant countries solve their problem in a direct and friendly manner.<sup>151</sup>

Another international forum which the U.S. is actively involved in terms of South China Sea is the Shangri-La Dialogue. Shangri-La Dialogue is an annual inter-governmental security and defense forum hosted by the International Institute for Strategic Studies (IISS). Shangri-La Dialogue is essential for Asia regional security in that it gives the opportunity for senior officials and security experts to address crucial security issues.

In 2012 Shangri-La Dialogue, former U.S. Secretary of Defense Leon E. Panetta gave his speech about the U.S. rebalance to Asia with four guiding principles; promotion of international rules and order, deepening and broadening bilateral and multilateral partnerships, adapting the U.S. military presence in the region, and making new investments in capabilities needed to project power and

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<sup>151</sup> Ibid.

operate in the Asia–Pacific.<sup>152</sup> He also emphasized that the U.S. would dispatch sixty percent of its air and naval forces to the Pacific and increase the number of military exercises as well as enhance partnerships with Indonesia, Malaysia, India, Vietnam, and New Zealand. With regards to the South China Sea disputes, he stressed the role of regional institutions and peaceful means to solve the South China Sea disputes by stating that the U.S. “supports the efforts of the ASEAN countries and China to develop a binding code of conduct that would create a rules–based framework for regulating the conduct of parties in the South China Sea” and affirming “...we (the U.S.) call for restraint and for diplomatic resolution; we oppose provocation; we oppose coercion; and we oppose the use of force.”<sup>153</sup> The 2014 Shangri–La Dialogue took place in the middle of the Oil Rig Crisis, again bringing criticism from the participating countries against China. The former U.S. Secretary of Defense, Chuck Hagel, criticized China by saying that “China has undertaken destabilizing, unilateral actions asserting its claims in the South China Sea.”<sup>154</sup> Former Lieutenant General and Deputy Chief of Staff of the Chinese military, Wang Guanzhong, also responded strongly claiming that Hagel’s remarks were “excessive beyond . . . imagination” and

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<sup>152</sup> Website: The U.S. Department of Defense. (June 02, 2012). “Remarks by Secretary Panetta at the Shangri–La Dialogue in Singapore”  
<https://archive.defense.gov/transcripts/transcript.aspx?transcriptid=5049>

<sup>153</sup> Ibid.

<sup>154</sup> Website: Asia Maritime Transparency Initiative. (May 2015). “Highlights From Shangri–La Dialogue 2014.”  
<https://amti.csis.org/highlights-from-shangri-la-dialogue-2014/>

“suffused with hegemonism . . . threats and intimidation.”<sup>155</sup> In 2015 Shangri-La Dialogue, former U.S. Secretary of Defense Ashton Carter reiterated the U.S. ‘Pivot to Asia’ and called on all states in the South China Sea to end island-building and halt to any further militarization in the area. During his speech, he explicitly affirmed “...the U.S. will fly, sail, and operate wherever international law allows, as U.S. forces do all over the world. America, alongside its allies and partners in the regional architecture, will not be deterred from exercising these rights...After all, turning an underwater rock into an airfield simply does not afford the rights of sovereignty or permit restrictions on international air or maritime transit.”<sup>156</sup> Although the U.S. emphasizes that it does not take any side with regards to the South China Sea disputes, it is clear that Carter’s speech was carefully aimed at countering China’s aggressive behavior in the South China Sea.

Former U.S. President Barack Obama thought to establish a new kind of relationship with ASEAN countries since the engagement with Southeast Asia is a central pillar of the U.S. Pivot to Asia. The U.S.–ASEAN Summit touches upon various issues

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<sup>155</sup> Karen Deyoung. (May 31, 2014). “China reacts sharply to Hagel’s criticisms of its ‘destabilizing’ actions against neighbors.” The Washington Post.

<sup>156</sup> Website: The Interpreter. (May, 2015). “Shangri La Dialogue: Ash Carter Strikes Determined, Reasonable Tone”  
<https://www.lowyinstitute.org/the-interpreter/shangri-la-dialogue-ash-carter-strikes-determined-reasonable-tone>

regarding; increasing economic cooperation, expanding maritime cooperation, cultivating the emerging leaders of ASEAN, promoting opportunity for women in ASEAN, and addressing transnational challenges.<sup>157</sup> Especially in expanding maritime cooperation, the U.S. is cooperating with ASEAN countries to increase maritime domain awareness, slow down environmental degradation, and support sustainable fisheries and aquaculture in the ASEAN region.

In 2013, the first U.S.–ASEAN Summit was held in Brunei. Both affirmed the significance of maritime security to regional peace and noted the importance of freedom of navigation and overflight, as well as unimpeded commerce in accordance with the UNCLOS in the South China Sea.<sup>158</sup> Through the summit, the U.S. and ASEAN promoted cooperation on maritime issues such as maritime security, search and rescue, and safety of navigation through the promotion of capacity building, information sharing, and technology cooperation.<sup>159</sup>

In the 2014 U.S.–ASEAN Summit, the U.S. and ASEAN elevated their relationship from dialogue relation to a strategic

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<sup>157</sup> Website: The White House, Office of the Press Secretary. (September, 2016). “FACT SHEET: U.S.–ASEAN Summit in Vientiane, Laos”  
<https://asean.usmission.gov/fact-sheet-u-s-asean-summit-vientiane-laos/>

<sup>158</sup> Website: Association of Southeast Asian Nation, ASEAN Secretariat News. (October, 2013). “Chairman’s Statement of the 1st ASEAN–U.S. Summit”

<https://asean.org/chairman-s-statement-of-the-1th-asean-us-summit/>

<sup>159</sup> Ibid.

partnership. Both acknowledged the U.S. role for Southeast Asia' s rapid economic growth and maintaining peace and stability. Through the implementation of the 'Plan of Action to Implement the ASEAN–U.S. Strategic Partnership' (2016–2020), which is closely related to the ASEAN Community Vision 2025, the U.S. further supported the ASEAN community building and integration process. With regards to the South China Sea, the U.S.–ASEAN Strategic Partnership emphasized the commitments for the Declaration of the Conduct of Parties in the South China Sea (DOC) to confirm the resolution of disputes through peaceful means by the UNCLOS as well as regulations, standard, and recommended practices of the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO).<sup>160</sup>

In the successive U.S.–ASEAN Summit in 2015 and 2016, both the U.S. and ASEAN countries reiterated their stance on solving South China Sea disputes according to the UNCLOS and stressed the importance of freedom of navigation in and over–flight above the South China Sea. Chairman' s statement from the 2015 U.S.–ASEAN Summit stated shared commitment in maritime cooperation through enhancing maritime connectivity and improving the governance of trans–boundary fishing and traceability of

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<sup>160</sup> Website: Association of Southeast Asian Nation, ASEAN Secretariat News. (November, 2015). "Joint Statement on the ASEAN–U.S. Strategic Partnership"  
<https://asean.org/joint-statement-on-the-asean-u-s-strategic-partnership/>

fishery products to tackle illegal fishing.<sup>161</sup> The U.S. also announced five-year Oceans and Fisheries Partnership in order to encourage sustainable marine fisheries and combat illegal, unreported, and unregulated fishing.<sup>162</sup> This was again highlighted in the 2016 ASEAN-U.S. Summit.

## Chapter 7. Analysis

This chapter will analyze the U.S. external balancing strategies with the Philippines and Vietnam based on the case studies done in the previous chapters. The Philippines and Vietnam are important pillars for the U.S. balancing strategies in the South China Sea. Both the Philippines and Vietnam are cooperating with the U.S. to stand against China's assertion in the South China Sea. In order to understand the U.S. balancing strategies with the Philippines and Vietnam, it is crucial to understand the nature of relationship between the U.S. and these countries. Based on different historical relationships, U.S. external balancing strategies between the Philippines and Vietnam also differ. This research analyzes that the U.S. is emphasizing hard-balancing strategy with the Philippines while emphasizing soft-balancing strategy with

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<sup>161</sup> Website: Association of Southeast Asian Nation, ASEAN Secretariat News. (November, 2015). "Chairman's Statement of the 3<sup>rd</sup> ASEAN-U.S. Summit"

<https://asean.org/chairmans-statement-of-the-3rd-asean-united-states-summit/>

<sup>162</sup> Ibid.

Vietnam.

## 1. U.S.–Philippines External Balancing Strategy

How can U.S.–Philippines external balancing strategy be analyzed? The below graph shows the categorization of U.S.–Philippines external balancing strategies in terms of hard–balancing strategy and soft–balancing strategy.

**Figure 9: U.S.–Philippines External Balancing Strategy**



As explained previously, the U.S. is sending its military

forces to the Philippines under the EDCA. Since it is directly related to the increase in the Philippines' maritime security and the U.S. military forces in the South China Sea, EDCA can be categorized as a hard-balancing strategy. Also, Balikatan exercises can be categorized as a hard-balancing strategy as it is a joint military exercise done in the South China Sea between the U.S. and the Philippines against China's aggressive behavior in the area. Although CARAT is not a direct bilateral cooperation between the U.S. and Philippines, CARAT can be counted as U.S.–Philippines hard-balancing strategies as the Philippines participated in the exercises as an ASEAN member country.

In terms of soft-balancing strategy, the China–Philippines South China Sea Arbitration case is a crucial example of the U.S.–Philippines soft-balancing strategy through international law. When the UNCLOS ruled in favor of the Philippines by rejecting China's 'Nine-Dash Line' and the tribunal sent declaration requesting China to comply with the UNCLOS decision, the U.S. openly backed the Philippines and urged China to accept the court's ruling. Especially, former U.S. State Department spokesman John Kirby called the ruling "an important contribution to the shared goal of a peaceful resolution to disputes in the South China Sea" and supported the Philippines.<sup>163</sup> By siding with the tribunal's ruling

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<sup>163</sup> William Gallo. (July, 2016). "UN Arbitration Court Rules Against Beijing in South China Sea Dispute" Voice of America.

and asking China to abide by the ruling, the U.S. and the Philippines both increase the credibility and legibility of the UNCLOS. MSI is another form of U.S.–Philippines soft–balancing strategy since it focuses on improving the maritime capacity of the Philippines by transfer of technology through financial assistance rather than a direct military exercise.

This analysis of balancing strategy between the U.S. and the Philippines shows that U.S.–Philippines external balancing strategies are focused much on the hard–balancing strategy, rather than soft–balancing strategy. In order to understand why this is so, this research delves into the historical relationship between the U.S. and the Philippines.

The U.S.–Philippines relationship began when the U.S. officially recognized the Philippines as an independent country in July 1946. Since then, the two countries continued to deepen their relationship based on strong historical and cultural ties. On October 6, 2003, the U.S. designated the Philippines as a Major Non–NATO ally.

Especially noteworthy is that there are close and abiding security ties between the two countries. The U.S.–Philippines Mutual Defense Treaty is the start of security cooperation between the U.S. and the Philippines. It was signed in August 1951 to supplement the bases agreement which gave the U.S. access on the

Philippines military and naval bases. The U.S.–Philippines Mutual Defense Treaty emphasizes a mutual commitment to peacefully resolve international disputes, separately or jointly developing the capacity to resist attack, and the need for consultation when the territorial integrity, political independence, or security of the U.S. or the Philippines is under threat of attack in the Pacific.<sup>164</sup> In 2011, former U.S. Secretary of State Hillary Clinton and former Philippines Secretary for Foreign Affairs Albert del Rosario signed the Manila Declaration which reaffirmed the 1951 U.S.–Philippines Mutual Defense Treaty as the foundation for a robust, balanced, and responsive security partnership between the two countries.

The U.S. and the Philippines further broadened their security cooperation by signing the U.S.–Philippines Visiting Forces Agreement in February 1998. This was further developed when the U.S. and the Philippines signed the EDCA in 2014. As explained previously, EDCA permits a strengthened U.S. military presence in the Philippines for ten years allowing the U.S. troops broad access as well as the construction of new and improved facilities in the Philippines bases with permission from the Philippines government, with the increased rotation of U.S. military personnel and assistance devoted to humanitarian and maritime operations.<sup>165</sup> In addition,

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<sup>164</sup> Website: Council on Foreign Relations. (2016). “The U.S.–Philippines Defense Alliance”

<https://www.cfr.org/backgrounders/us-philippines-defense-alliance>

<sup>165</sup> Ibid.

the U.S.–Philippines security cooperation strengthened with the Balikatan exercises, which focus on training and capability enhancement for addressing crises or natural disasters. The U.S. and the Philippines also conduct Cooperation and Afloat Readiness and Training (CARAT) Exercises to boost the interoperability of land, sea, and air capabilities.<sup>166</sup>

All in all, the Philippines is an excellent partner for the U.S. in terms of military alliance. Deep historical relationship based on strong military ties allowed the U.S to focus on military cooperation with the Philippines in the South China Sea.

## 2. U.S.–Vietnam External Balancing Strategy

Recently, the U.S. also increased its cooperation with Vietnam in the South China Sea. Since Vietnam is another crucial claimant state in the South China Sea, U.S. balancing strategy with Vietnam in the area is also crucial in understanding U.S. balancing strategy against China in the South China Sea.

Initially, the U.S. and Vietnam were foes rather than friend. But with the end of the Cold War, the effort from Vietnam to maintain its independence and support its Doi Moi economic reform led Vietnam

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<sup>166</sup> Website: U.S. Department of State. (2018). “U.S. Relations With the Philippines: Bilateral Relations Fact Sheet”  
<https://www.state.gov/u-s-relations-with-the-philippines/>

to pursue an omnidirectional and self-reliant foreign policy which resulted in a new kind of relationship between Vietnam and the U.S.<sup>167</sup> In the early stage of normalization, the U.S.-Vietnam defense cooperation mainly dealt with resolving the wartime legacy such as the POW/ MIA and Agent Orange issues, and later developed into full-fledged relationship dealing with various issues.<sup>168</sup> The U.S. and Vietnam signed the Bilateral Defense Cooperation Memorandum of Understanding (MOU) in 2011, which includes initiatives on maritime security cooperation, high-level defense dialogues, search and rescue programs, humanitarian assistance, disaster relief, and United Nations peacekeeping operations.<sup>169</sup> The U.S. also signed the U.S.-Vietnam Comprehensive Partnership in late 2013 to provide formal training to the Vietnamese coastguard as a means to help the Vietnamese government build its maritime security capabilities and increase the U.S.-Vietnam collective capacity to coordinate in response to intensified maritime tensions in the South China Sea.

The Below figure shows categorization of U.S.-Vietnam external balancing strategy in terms of hard-balancing and soft-balancing

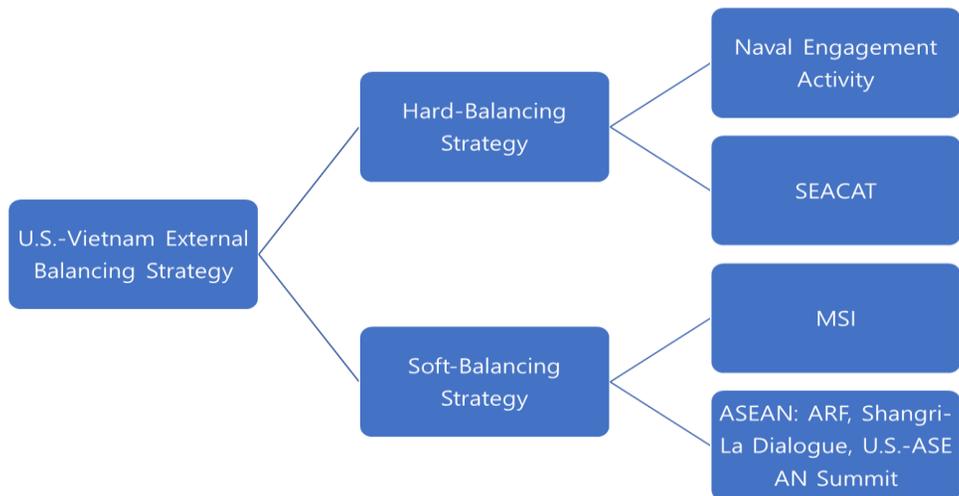
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<sup>167</sup> Tuan, Hoang Anh, and Do Thi Thuy. (2016). "U.S.-Vietnam Security Cooperation: Catalysts and Constraints." *Asian Politics & Policy* 8.1: pp.179-192.

<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

Figure 10: U.S.–Vietnam External Balancing Strategy



Although Vietnam has weak security ties with the U.S., this does not mean that there is no direct military cooperation between the U.S. and Vietnam. Naval Engagement Activity between the U.S. and Vietnam shows that navies from both countries are cooperating militarily to foster mutual understanding and confidence in the maritime domain. SEACAT is another U.S.–Vietnam hard–balancing strategy, with Vietnam participating in the exercises as an ASEAN member country. SEACAT exercises pose concerns for China as the exercises indicate increased military cooperation between the U.S. and the ASEAN countries, meaning that the U.S. is becoming more engaged in the South China Sea disputes, encouraging other claimant countries to consolidate their sovereignty claims and

strengthen their de facto occupation in the South China Sea.<sup>170</sup>

In terms of soft-balancing strategy between the U.S. and Vietnam, the U.S. provides MSI to Vietnam in order to directly increase both the U.S. and Vietnam's military ability in the South China Sea against that of China. As explained previously, the DoD's MSI funding for Vietnam increased since 2015 from \$19.6 million to \$20.5 million. Another key aspect of soft-balancing strategy between the U.S. and Vietnam is the major power engagement through ASEAN. As Thuy (2016) explained, Vietnam is trying to engage major countries, especially the U.S., in the South China Sea disputes since the U.S. involvement increases leverage for Vietnam in relation to China. To increase its chance of winning over China in the South China Sea, it is almost necessary for Vietnam to engage the U.S. When this meets with Vietnam's other tactics of raising the South China Sea disputes in international level, it is clear that ASEAN is the main pillar for the U.S.–Vietnam soft-balancing strategy. Former U.S. President Barack Obama hosted 2016 ASEAN Summit meeting in California, making this the first ASEAN Summit held in the U.S. During the summit, Vietnam's former Prime Minister Nguyen Tan Dung has urged a greater U.S. role in preventing militarization and island-building in the South China Sea by suggesting Obama to use a stronger voice and “more

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<sup>170</sup> Li Mingjiang. (2010). “Reconciling Assertiveness and Cooperation? China's Changing Approach to the South China Sea Dispute,” *Security Challenges*, 2: pp.49–68.

practical and more efficient actions” and call for the U.S. support in curbing China’s maritime expansionism in the area.<sup>171</sup> In response, Obama clearly spoke the U.S. opposition to China’s militarization of the South China Sea and any escalation of tensions in the area as well as its support for freedom of navigation.<sup>172</sup>

Unlike its relationship with the Philippines, the relationship between the U.S. and Vietnam is more based on multilateral cooperation through the international institution and dialogue rather than direct bilateral cooperation. Thus, external balancing strategies between the U.S. and Vietnam are also more focused on financial assistance and using ASEAN and the UNCLOS. This research assumes that the main reason for the U.S.–Vietnam external balancing strategies to focus less on military cooperation or joint military exercise is because there is no formal military defense treaty between the two countries and the historical relationship between the U.S. and Vietnam put more emphasis on diplomatic relationship.

The U.S. established a diplomatic relationship with Vietnam in 1950. Yet, when Vietnam was divided into South Vietnam and North Vietnam, the U.S. did not recognize North Vietnam as an

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<sup>171</sup> Martin Petty. (February, 2016). “Vietnam PM wants stronger U.S. role in South China Sea” Reuters.

<sup>172</sup> Mary Alice Salinas. (February, 2016). “Obama, ASEAN Seek to ‘Advance Regional Order’ at US Summit” Voice of America.

independent country and maintained its embassy only in South Vietnam. During the Vietnam War, the U.S. supported South Vietnam, but closed its Embassy in 1975 and evacuated its employees. The relationship between the U.S. and Vietnam began to restore with the U.S. effort to cooperate with Vietnam on returning the remains of U.S. prisoners of war (POW) and missing in action (MIA) personnel.<sup>173</sup> Another cornerstone in the normalization of the relationship was Vietnam's withdrawal of occupying forces in Cambodia, which enabled countries like the U.S. to repair diplomatic ties with Vietnam.<sup>174</sup> The U.S. lifted travel restrictions against Vietnam in 1991, and in 1994 former U.S. President Bill Clinton lifted the trade embargo against Vietnam. With these step-by-step restorations of relationship, the U.S. and Vietnam completely normalized their relationship in 1995.

How did the U.S.–Vietnam relationship evolve under the Obama administration? In July 2013, both countries signed the Comprehensive Partnership and agreed on an overarching framework for improving the bilateral relationship on several key agendas; maritime capacity building, economic engagement, climate change and environmental issues, education cooperation, and human rights. In 2016, the U.S. lifted a ban on lethal arms sales to Hanoi.

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<sup>173</sup> Website: Council on Foreign Relations. (2019). “The Evolution of U.S.–Vietnam Ties”

<sup>174</sup> Ibid.

The U.S. does not have a security alliance with Vietnam due to Vietnam's defense policy that is based on the "three no's" principle: no military alliances, no foreign troops stationed on Vietnamese soil, and no partnering with a foreign power to combat another.<sup>175</sup> However, there have been recent increases in the security cooperation between the U.S. and Vietnam. Security cooperation have particularly focused on enhancing exchanges between the U.S. and Vietnamese coast guards to enhance maritime domain awareness-building and the provision of patrol vessels.

Among major powers, Vietnam considers the U.S. as one of its most important trade and security partners. Regardless of the U.S. interests in the South China Sea, the U.S. involvement has increased leverage for Vietnam against China. In addition, the U.S. policy has a spillover effect on the positions of other countries as well, especially countries that have close relationships with the U.S., encouraging these stakeholders - such as Japan, Australia, India, and some European countries.

This does not mean that Vietnam neglected its relationship with China. As a matter of fact, Vietnam tries to tackle the South China Sea disputes by directly negotiating with China. This is possible due to the historically strong Sino-Vietnam relationship. As neighboring communist countries, both China and Vietnam often

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<sup>175</sup> Ibid.

depict their relationship “as close as lips and teeth.” This relationship can be traced back to the Vietnam War when China supported North Vietnam by providing large amounts of military and other material assistance, over 320,000 Chinese engineering and anti-aircraft artillery forces which were involved in the construction, maintenance and defense of North Vietnam's transport system and strategically important targets, areas north of the 21st parallel.<sup>176</sup> The relationship between Vietnam and China broke off with the border conflict in February 1979, but shortly normalized their relationship in 1991 by moving their attention to economic development. According to the Vietnamese Ministry of Industry and Trade, two-way trade turnover increased 7.9 percent to US\$71.9 billion in 2016, making China as Vietnam’s largest trading partner constituting 20.5 percent of Vietnam’s total trade, and Vietnam as China’s largest trade partner in ASEAN and its ninth largest trade partner worldwide.<sup>177</sup> Vietnam and China successfully maintained commercial and investment cooperation even during the Oil Rig crisis by joining the Chinese-initiated Asian Infrastructure Investment Bank (AIIB) as founding members.<sup>178</sup> With regard to the South China Sea disputes, Vietnam engaged direct cooperation with China to settle unresolved maritime issues. Direct bilateral

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<sup>176</sup> Jian, C. (1995). “China's Involvement in the Vietnam War, 1964–69.” *The China Quarterly*. 142: pp.356–387.

<sup>177</sup> Le Hong Hiep. (December, 2017). “Pull and Push: Sino-Vietnamese Relations and President Xi’s Hanoi Visit.” *ISEAS Perspective*. pp.1–8

<sup>178</sup> Tran Truong Thuy, (2016). “Rebalancing: Vietnam’s South China Sea Challenges and Responses.” *The Japan Institute of International Affairs*: pp.1–18.

cooperation helped to restore the damaged relationship between Vietnam and China after the Oil Rig crisis was over, with leaders and high-ranking officials of both parties exchanging visits and meetings to renormalize relationships and promote practical cooperation. In October 2011, Vietnam and China signed the Agreement on the Basic Principles Guiding the Resolution of Maritime Issues and agreed to address maritime issues incrementally, accelerate demarcation and cooperation in the Tonkin Gulf, and foster cooperation in less sensitive fields including marine environmental protection, marine science research, search and rescue operations, and natural disaster mitigation and prevention.<sup>179</sup> In addition, Vietnam rather showed a passive reaction to the South China Sea Arbitration ruling with the former Foreign Ministry Spokesman, Le Hai Binh, stating “Vietnam welcomes the arbitration court issuing its final ruling” but without detailed comments on the content of the ruling.<sup>180</sup> According to Kim (2018), this was to avoid tension in its relationship with China.

For Vietnam, siding with the U.S. and keeping off China is both risky and costly than hedging. First, Vietnam cannot solely rely on U.S. involvement in the South China Sea and its commitment to Vietnam’s security.<sup>181</sup> According to Kim (2018), the U.S. main

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<sup>179</sup> Ibid.

<sup>180</sup> Sung Chull Kim. (2018). “Vietnam’s Hedging toward China amid South China Sea Disputes.” *Sino-Soviet Affairs*, 41(4): pp.99-135.

<sup>181</sup> Ibid.

interest in the South China Sea is freedom of navigation while that of Vietnam and other parties to the conflict is aimed at securing maritime rights. Thus, the U.S. does not want armed conflict between China and the claimant countries in the South China Sea and stresses a peaceful resolution of the disputes. Kim (2018) also explained that Vietnam suggested upgrading the bilateral relationship to a strategic partnership after the Haiyang Shiyou 981 incident, but the U.S. rejected Vietnam's demand by addressing human rights issues. In addition, the U.S. undertook military operations shortly after the September 2015 U.S.–China summit amidst China's aggressive land reclamation activities in 2014 and 2015. As a result, Vietnam could not only identify U.S. security commitments but also be aware of the security risks associated with military cooperation with the U.S. despite its partnership and strengthened military cooperation with the U. S.<sup>182</sup>

Second, ASEAN's internal split between member countries over the South China Sea disputes made it impossible for Vietnam and other claimant countries to form a solid alliance against China.<sup>183</sup> One exemplary case is the 2012 ASEAN Foreign Ministers Meeting which Southeast Asian nations failed to agree on maritime disputes in the South China Sea, with Cambodia blocking any mention to an international court ruling against Beijing in their

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<sup>182</sup> Ibid.

<sup>183</sup> Ibid.

joint statement.<sup>184</sup> China has been a supporting country for Cambodia since the Cold War and has maintained a political, economic, and military relationship. Adding to this, Kim (2018) also explained that Chinese military and economic aid to Cambodia increased at the height of the disputes, and Cambodia placed more importance on the position of its relationship with China than on the unity of ASEAN as a whole.

All in all, Vietnam is implementing a hedging strategy by engaging China and simultaneously cooperating with the U.S. through indirect or soft balancing strategy. Hedging strategy is often used by Southeast Asian states in order to prevent Chinese hegemony and secure regional order. According to Goh (2005), hedging strategy by Southeast Asian states has three elements. First is indirect or soft balancing, which mainly involves persuading other major powers, particularly the U.S., to act as counterweights to Chinese regional influence. Second is the engagement of China at the political, economic, and strategic levels and successfully persuading China to abide by international rules and norms. Third is the involvement of many regional great powers and giving them a stake in a stable regional order.

### 3. China's Action Toward the U.S. South

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<sup>184</sup> Prak Chan Thul, Stuart Grudgings. (July, 2012). "SE Asia meeting in disarray over sea dispute with China". Reuters.

## China Sea Policy

Since the U.S. rebalance to Asia, the U.S. is increasing its cooperation with the Philippines and Vietnam in terms of both military and diplomatic means, actively playing balancing strategies against China in the South China Sea. As a result, the South China Sea disputes became conflicts between China and the combined power of U.S. and ASEAN countries. Another purpose of this research is to analyze the behavior of China in the South China Sea before and after the U.S. involvement in the disputes. This section will analyze how the U.S. balancing strategy in the area affected China's aggressive behavior in the South China Sea.

China claims its sovereignty over 80% of islands in the South China Sea. After receiving Xisha and Nansha Island from Japan in 1946, China sent its naval vessel and built stone markers on the Woody Island of the Xisha Islands and Itu Aba Island of the Nansha Islands.<sup>185</sup> After inspection, Chinese government draw 'Eleven-Dash Line' in 1947 indicating its authority over the South China Sea right down to the Zengmu Ansha, or James Shoal, at 3° 58' N, 112° 17' E., and officially published its atlas through Commerce Press in February 1948.<sup>186</sup> According to Gao and Jia

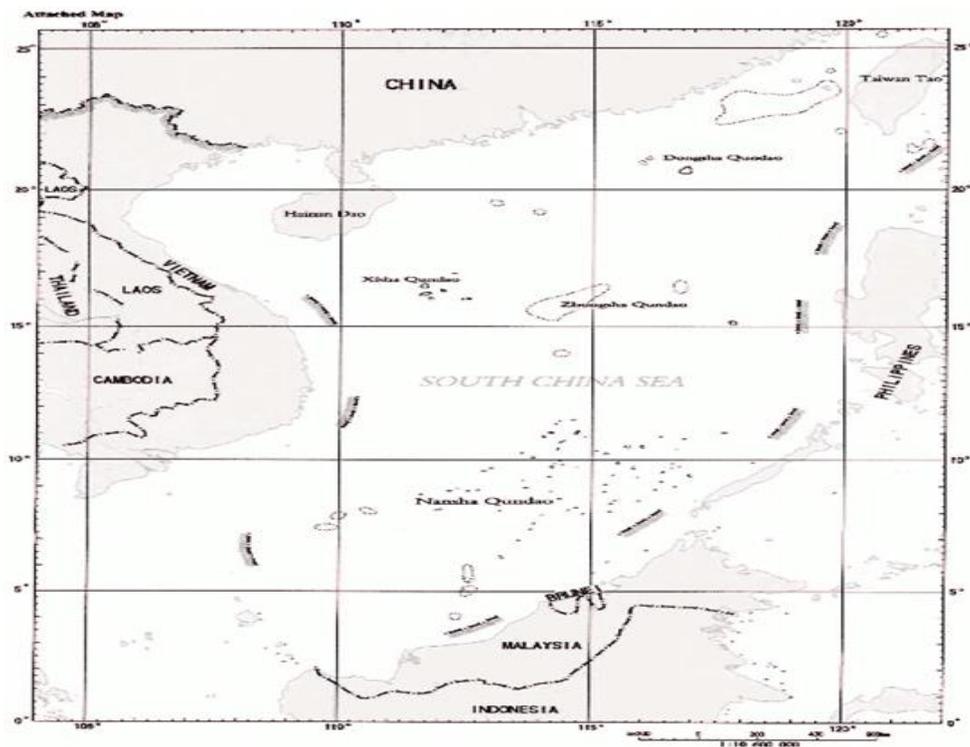
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<sup>185</sup> Gao, Z., & Jia, B. B. (2013). "The nine-dash line in the South China Sea: History, status, and implications." *American Journal of International Law*, 107(1): pp.98-123.

<sup>186</sup> *Ibid.*

(2013), the ‘Eleven-Dash Line’ affirmed China’s sovereignty over the island groups in the South China Sea at the beginning of a new, postwar era. In 1953, the Chinese government removed two dashes from the ‘Eleven-Dash Line’ and produced a new ‘Nine-Dash Line.’ The below figure shows the Chinese ‘Nine-Dash Line’ on the map of the South China Sea.

Figure 11: China's Official Nine-Dash-Line Map of the South China Sea



Source: Scientific Figure on Research Gate. Available from:  
[https://www.researchgate.net/figure/Chinas-Official-Nine-Dash-Line-Map-of-South-China-Sea\\_fig1\\_276355470](https://www.researchgate.net/figure/Chinas-Official-Nine-Dash-Line-Map-of-South-China-Sea_fig1_276355470)

In addition, China spread Declaration on the Territorial Sea on September 4, 1958, and asserted twelve-nautical-mile territorial sea for China for the mainland, the coastal islands, as well as the off-lying islands of Dongsha, Nansha, Penghu, Taiwan, Xisha, and Zhongsha, among others.<sup>187</sup> In 1959, the Hainan District established an administrative office on Yong Xing Island, which transferred to Guang Dong Province in 1969. The newly established Hainan Administrative Region included “the islets, reefs and sea areas of Xisha, Nansha, and Zhongsha islands.”<sup>188</sup> In 1992, China passed its first territorial sea and contiguous zone act to legalize its claim on the South China Sea. Article 2 of this law effectively defines four island groups in the South China Sea including the Paracel and Spratly Islands archipelagoes as China's territory, while Article 3 authorizes the use of straight baselines for measuring the breadth of the territorial sea.<sup>189</sup>

China's emphasis on the South China Sea broadened into the national goal of becoming a strong maritime power. The Chinese dream of being a ‘Great Maritime Power’ was officially mentioned during the Hu Jintao administration, when he stated that “we should enhance our capacity for exploiting marine resources,

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<sup>187</sup> Ibid.

<sup>188</sup> Ibid.

<sup>189</sup> Gao, Z., & Jia, B. B. (2013). “The nine-dash line in the South China Sea: History, status, and implications.” *American Journal of International Law*, 107(1): pp.98-123.

develop the marine economy, protect the marine ecological environment, resolutely safeguard China's maritime rights and interests, and build China into a maritime power.”<sup>190</sup> In addition, Liu Cigui, director of the State Oceanic Administration (SOA), claimed that “Building China into a maritime power is an essential path on the way to the sustained development of the Chinese nation and [achievement of the status of a] global power.”<sup>191</sup> In the 2012 18th National Congress of the Communist Party of China, Hu Jintao openly declared that developing China into a maritime power had become a strategic objective.

China's ocean policy was further developed when Xi Jinping succeeded Hu Jintao. According to the 2011 White Paper ‘China's Peaceful Development’, China's core interests include; state sovereignty, national security, territorial integrity, national reunification, protecting China's political system as established by the constitution, the maintenance of overall social stability, and basic safeguards for ensuring sustainable economic and social development. Yet, President Xi expanded the meaning of core interest to include ‘the political regime; the sovereignty, unity, and territorial integrity of the nation; and people's livelihoods, sustainable economic development of society, and other major

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<sup>190</sup> Takeda Junichi. (April, 2014). “China's Rise as a Maritime Power: Ocean Policy from Mao Zedong to Xi Jinping” The Sasakawa Peace Foundation: pp.1-37.

<sup>191</sup> Ibid.

interests.’ What is noteworthy is that China began to consider the South China Sea as a core interest that is on par with Taiwan and Tibet.<sup>192</sup> In other words, the South China Sea disputes involve ‘state sovereignty’ ‘national security’ and ‘territorial integrity’ which constitute China’s core interests.

According to Chubb (2019), there are three elements to President Xi’s maritime policy. The first is the continuation of the goal of building China into a “maritime great power”<sup>193</sup> The second element is the coordinated planning of the two overall situations (两个大局) of rights defense and stability maintenance (维权维稳相统一). This has often been taken as an expression of Xi’s more assertive maritime policy preferences when he vowed ‘never to compromise’ during the Politburo study session in July 2013. The third element is the indignant “no-acceptance, no-participation, no-recognition, no-implementation” response to the arbitration case brought on by the Philippines under the UNCLOS. Indeed, China had withdrawn from the UNCLOS’s compulsory dispute resolution procedures in 2006, showing its intention to avoid international legal processes in regard to its maritime claims. President Xi also declared that China “absolutely will not give up

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<sup>192</sup> Website: Tunngley, J. (2016). “The South China Sea Dispute: China's Polygonal Defence of Core Interests”.  
<https://rusi.org/commentary/south-china-sea-dispute-chinas-polygonal-defence-core-interests>

<sup>193</sup> Andrew Chubb. (January, 2019). “Xi Jinping and China’s maritime policy”  
Brookings Institution.

its legitimate rights, much less sacrifice its national core interests.”

Amidst China’ s focus on establishing maritime power, U.S. Pivot to Asia led China to increase its military presence and spending in the South China Sea. Increasing military presence in the disputed area is one aspect of China’ s ‘piecemeal strategy.’ According to this strategy, the method is not a lump or rapid progression, but a partial and incremental manner, by continuously entering limited force or pressure to achieve success. For example, China conducts military exercises and regularly sends patrol boats in the South China Sea in order to strengthen its claims, sending its first aircraft carrier, the Liaoning, to the area in December 2013.<sup>194</sup> The chart below shows the Chinese military spending in the South China Sea compared with other related countries. Although the chart compares military spending from 2007 to 2014, it is a well-known fact that Chinese military spending on the area is steadily increasing even now.

**Figure 12: Arm Comparison between China and the neighboring countries in the South China Sea.**

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<sup>194</sup> Sinaga, L. C. (2015). “China’s Assertive Foreign Policy in South China Sea under Xi Jinping: Its Impact on United States and Australian Foreign Policy.” *Journal of ASEAN Studies*, 3(2): pp.133-149.

표 1. 중국과 남중국해 문제 관련국의 군비 비교 (\$US million)

Country	2007	2008	2009	2010	2011	2012	2013	2014
China	96,782	106,640	128,734	136,239	147,268	159,620	171,381	190,974
Indonesia	4,448	4,150	4,336	5,092	5,838	7,975	8,356	8,076
Malaysia	4,965	5,078	4,793	4,187	4,807	4,664	4,809	4,926
Philippines	2,630	2,630	2,532	2,657	2,701	2,739	3,208	3,039
Singapore	9,055	9,126	9,430	9,250	8,921	8,890	9,077	9,138
Viet Nam	2,386	2,350	2,581	2,878	2,686	3,128	3,205	3,587
India	36,664	41,585	48,963	49,159	49,634	49,459	49,091	49,999
Australia	23,947	24,820	26,676	27,006	26,610	25,555	24,638	27,171
Japan	60,574	59,139	59,735	59,003	60,452	60,017	59,396	59,033
China	96,782	106,640	128,734	136,239	147,268	159,620	171,381	190,974
The Rest	144,669	148,878	159,046	159,232	161,649	162,427	161,780	164,970

Source: 이재현. (2015). “미-중-동남아의 남중국해 삼국지”

Building up military forces in the South China Sea has been closely related to the construction of artificial islands and military installations in the South China Sea. During 1995–1999, China built initial infrastructure on top of Mischief Reef, along with the three other octagonal structures which are used for setting up communications, anti-aircraft guns, and radar systems for monitoring overflying aircraft and ships sailing in the vicinity.<sup>195</sup> Between 2014 to 2016, Chinese land reclamation activity reached its peak and China enthusiastically built islands and military installation on the Mischief Reef, Fiery Cross Reef, Subi Reef, and the Paracel Islands. According to Asian Maritime Transparency Initiative (AMTI) from the Center for Strategic and International

<sup>195</sup> Singh, Swaran & Yamamoto, Lilian. (2017). “China's artificial islands in the south China sea: geopolitics versus rule of law.” *Revista de Direito Econoˆmico e Socioambiental*, Curitiba, v. 8, n. 1: pp. 4–23.

Studies (CSIS), there are three Chinese air bases in the Spratlys and another on Woody Island in the Paracels that allow Chinese military aircraft to operate over nearly the entire South China Sea.<sup>196</sup> China also has wide radar coverage through advanced surveillance/early-warning radar facilities at Fiery Cross, Subi, and Cuarteron Reefs, as well as Woody Island, and smaller facilities elsewhere.<sup>197</sup> As for air force, China has maintained HQ-9 surface-to-air missile (SAM) systems on Woody Island and constructed reinforced shelters with retractable roofs for mobile missile launchers on Mischief Reef, Fiery Cross Reef, and Subi Reef.<sup>198</sup> Vietnam and the Philippines adamantly protested against China's artificial islands and land reclamation activities, claiming that China is undermining the security in the South China Sea by disrupting the status quo and violating the UNCLOS.

The U.S. claims that it supports peaceful means to solve the South China Sea disputes. However, China's reaction to the U.S. 'Pivot to Asia' policy and engagement in the South China Sea disputes was not like what the U.S. intended. Mainly, China disbelieves the U.S. intent on the rebalance to Asia and argues that this is an encirclement strategy to contain China by encroaching into China's claimed sea areas. As a result, there has been an

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<sup>196</sup> Website: Asia Maritime Transparency Initiative. (June, 2016). "China's Big Three Near Completion"

<https://amti.csis.org/chinas-big-three-near-completion/>

<sup>197</sup> Ibid.

<sup>198</sup> Ibid.

increasing number of confrontations between Chinese and the U.S. forces in the area. For example, five Chinese vessels confronted the U.S. surveillance vessel, the USNS Impeccable, in the South China Sea in March 2009.<sup>199</sup> China argued that these U.S. reconnaissance and research operations are forbidden in Chinese waters without coastal state permission.

So, how did China's South China Sea policy change after U.S. balancing strategy in the area? China's foreign policy hasn't officially changed, but it became more aggressive since late 2008. Especially for territorial disputes like the South China Sea, China introduced a new model called "Scarborough shoal model." This model switch from defense to offensive while declaring a threshold and respond very aggressively if other countries cross it.<sup>200</sup> According to Cho (2013), there are four interpretations on China's offensive position.<sup>201</sup> First is that China's diplomacy has not changed, but conflicts arose as some countries provoked China. Second is that China has begun to show lust for hegemony as it emerged as a great power. Third is that the lack of coordination between state agencies and government departments resulted in China's aggressive policy. Fourth is the empirical perspective that judges the change of Chinese diplomacy based on facts. From this

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<sup>199</sup> James Manicom. (2014). "China and American Seapower in East Asia: Is Accommodation Possible?," *Journal of Strategic Studies*, 37.3: pp.345-371.

<sup>200</sup> 조영남. (2013). 중국의 꿈 : 시진핑 리더십과 중국의 미래.

<sup>201</sup> Ibid.

perspective, growing China's national power, rather than changing China's policy, increased its ability to respond militarily and made its neighbors feel more intimidated. All in all, Cho explains China's offensive diplomacy as a responsive, immediate, and flexible change in diplomatic behavior rather than China's new foreign policy.

## Chapter 9. Conclusion

The South China Sea has been in conflict continuously since the Japanese colonial period and is still an on-going issue. Initially, the South China Sea disputes were a regional issue involving China and the neighboring states in Southeast Asia. The turning point in the South China Sea disputes came recently, when the former U.S. President Barack Obama turned his focus to Asia-Pacific region. By officially claiming its 'rebalance' to Asia, the U.S. actively responded to the South China Sea disputes by deterring China from taking further aggressive actions. The U.S. has two main core interests in the South China Sea; one is securing freedom of navigation, and the other is maintaining its naval and air superiority in the Western Pacific. Since then, the South China Sea has become the area of major power conflict between China and the U.S. siding with the Southeast Asia states.

Based on realist perspectives, this research analyzed the U.S. balancing strategies in the South China Sea. The U.S. is cooperating

with the Philippines and Vietnam through both hard-balancing strategy and soft-balancing strategy. Philippines and Vietnam also welcome the U.S. engagement in the South China Sea disputes as this will give them leverage in countering China and increase their military capabilities in the South China Sea. The U.S.–Philippines external hard-balancing strategy can be characterized as bilateral cooperation, emphasizing strong military ties between the two countries. Through EDCA and Balikatan exercises, the U.S. is sending its naval forces to the agreed Philippines bases and conducting joint military exercises, thereby increasing Philippines maritime security. This was possible because the Philippines and the U.S. already have a strong binding security relationship starting from the Mutual Defense Treaty. The U.S.–Vietnam external hard-balancing strategy can be characterized as multilateral cooperation emphasizing financial and technical assistance between the two countries. As analyzed in the research, the U.S.–Vietnam hard-balancing strategy is done mainly in the context of ASEAN. The reason behind this is the lack of a security tie between the two countries due to different historical backgrounds. Yet, security cooperation between the two countries is evolving amidst rising tension in the South China Sea, as can be seen from the NEA with Vietnam. The U.S. is also doing soft-balancing strategy in the South China Sea, utilizing the UNCLOS, ASEAN, and international dialogue forums such as ARF and the Shangri-La dialogue. Through these forums, the U.S. criticized China's assertive behavior in the South China Sea and clearly expressed its support for the

Philippines and Vietnam like it did in the case of China–Philippines South China Sea Arbitration case and the Oil Rig Crisis.

This research also analyzed the effectiveness of the U.S. external balancing strategies in the South China Sea by looking at China's behavior in the South China Sea. The U.S. claims that it hopes to solve the South China Sea disputes with 'peaceful means' and believes that its involvement will help to solve the disputes. Ironically however, tensions in the area escalated as China is doubtful of 'Pivot to Asia' policy and emphasizes to become the 'Great Maritime Power.' With China's assertive land reclamation activities of building artificial islands and military installations in the South China Sea, tensions surrounding the area worsened as neighboring countries, especially the Philippines and Vietnam, harshly criticized China for breaching the status quo by these unilateral construction activities.

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## 요약(국문초록)

남중국해는 현재 가장 뜨거운 분쟁 지역이다. 중국은 구단선(Nine-Dash Line)을 기반으로 남중국해에 대한 중국의 주권을 적극적으로 주장했다. 또한, 중국은 이 지역에 군대와 인공 섬을 건설하고 있다. 오바마의 '아시아로 회귀' (Pivot to Asia)' 정책에 따라 미국도 남중국해 분쟁에 적극적으로 참여했으며, 필리핀과 베트남과의 협력을 강화하여 이 지역에서 중국의 균형을 맞추려고 노력하고 있다. 이는 미국이 남중국해 분쟁에 대해 부시 행정부까지 가지고 있었던 초기 입장을 감안할 때 매우 놀라운 변화이다. 미국은 아시아에 많은 전략적 이익을 가지고 있지만, 이 지역은 오바마 행정부전까지 미국 외교 정책의 주요 초점이 아니었다. 오바마의 '아시아로 회귀' 정책에 따라 남중국해에 대한 미국의 참여가 증가하였고, 이에 따라 남중국해 분쟁의 패러다임은 중국과 동남아시아 국가 간의 갈등에서 미국과 중국 간의 갈등으로 확대되었다.

**주요어:** 균형전략, 미국, 중국, 베트남, 필리핀, 남중국해

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